

CHAPTER I

JOB DESCRIPTION

DUTIES AND POWERS

The Chief Conservator of Forests (BS-20)

- i) The Chief Conservator is the Chief technical adviser to Government on forest matters. He is also the head of the Forest Department in the Punjab. In corresponding with Government he ordinarily addresses the Deputy Secretary to Government, Punjab, Revenue Department.
- ii) The Chief Conservator is empowered to deal, on his own authority, with all professional questions such as working plans, Silvicultural operations and fire protection.
- iii) The Chief Conservator supervises the framing of working plans. He deals finally with the preliminary reports, but submits the completed plans to Government for sanction, except in the case of Soil Conservation Circle plans which are sanctioned by him. He may however refer to Government any working plan in which any question of principle or of special interest is involved Punjab Government No. 2320-Ft dated 19th August 1942. He is responsible for the final approval of the control forms for working plans sanctioned by the Government.
- iv) The Chief Conservator submits to Government, for the whole province, the consolidated budget, the appropriation proposals and the annual forest administration report.
- v) The Chief Conservator controls the postings and transfers of officers of the Punjab Forest Service and transfers of members of the Subordinate Forest Service between circles. The postings of Provincial Forest Service officers and Indian Forest Service officers to the charge of divisions are made by Government on his recommendation.
- vi) The Chief Conservator as Head of the Department controls all forest affairs and issues such instructions as he may consider necessary on the administration and working of the forests.

The Conservator of Forests (BS-19)

- i) Subject to control by Government and by the Chief Conservator in matters with which he is competent to deal, the Conservator has full control of forest matters within his circle.
- ii) The Conservator, within his circle, controls the postings and transfers of officers in charge of range and of clerks and the transfers of all other subordinates between division.
- iii) The Conservator corresponds direct with Commissioners and Government on all administrative matters affecting his circle, but questions of personnel, finance, policy and matters which affect the department or province as a whole will be referred to the Chief Conservator who will also be consulted on all important matters, especially sales.
- iv) The Conservator will make frequent tours of inspection and visit once a year as many of the forests under his control as possible. During these tours the following points will receive particular attention and if necessary, be specially reported on to Government or the Chief Conservator:-
 - (a) surveys and settlements, made or in progress, and their cost, extent to which they are still required, nature and adequacy of the maps and settlement records prepared, results of working under the settlements in force;
 - (b) Working plans, already made or in progress, and their cost, extent to which plans are still required; results of working plans in force;
 - (c) Forest boundaries, their nature and state of repair, demarcation work in progress and its cost, demarcation work still to be done;
 - (d) Roads, buildings, and other similar works, in existence or under construction, their cost, state of repairs, new roads, buildings, or other works required.
 - (e) Executive and protective staff, efficiency, state of discipline etc.
 - (f) Conditions of the forest, the methods of treatment employed; natural reproduction, causes which interfere with it, etc.
 - (g) Protection of the forests from injury, by man, by cattle, by fires, etc, breaches of the forest rules, their frequency and causes;
 - (h) Works of reproduction and cultural improvements, extent, condition and cost of plantation made, conditions of nurseries; new sowings or plantings

required; thinning ; creeper cutting etc., extent to which carried on and required;

- (i) Method of working and management in force, advantages or otherwise of these methods, expenditure incurred on them ; outturn of the forests, and financial results;
- (j) Timber depots, their situation and adequacy; condition in which kept; state of their records, etc.
- (v) At the conclusion of each important tour of inspection the Conservator will write a self-contained note dealing with the policy, management and progress of the division which he has visited. The note is intended primarily for the information of the Chief Conservator, who will, however, transmit a copy to Government with his comments, should the note be of sufficient interest or the Conservator desires him to do so. In addition to the full note brief note may be written on individual forests or projects for the guidance of the Divisional Forest Officer; When of sufficient interest duplicate copies of these note may be sent for pasting in the compartment history files.
- (vi) The Conservator will see that all money transactions are conducted in accordance with the rules in force; and will examine the cost of current works, and of those which have been spared over several years. He will also ascertain whether the Divisional Officers and other members of the controlling staff are conversant with their duties that discipline is maintained and that work is properly supervised.
- (vii) A Conservator in control of an irrigated plantation must satisfy himself by personal inspection during the irrigation season that adequate arrangements have been made by the Divisional Forest Officer to irrigate each plantation.
- (viii) The Conservator in charge of the Soil conservation Machinery (heavy earth moving equipment bulldozers, scale-soilers controlled. He will give progress of the work of reclamation of ravined land by mechanical means in his inspection notes.

The Divisional Forest Officer (BS-18)

- i) To be responsible for the proper management of the forest business and for the finance of his division;
- ii) To take an active part in all technical work;
- iii) Subject to the orders of the working plan and his superior officers, to control the silviculture of his division and to be responsible for the correctness of all technical operations;
- iv) To make himself thoroughly conversant with the Land Administration Manual and the Land Revenue settlements of his division;
- v) To have a wide knowledge of the people with whom he has to deal; to show sympathy for their requirements and to carry out the forest policy prescribed for him with fairness and common sense.
- vi) To submit a monthly diary or progress report in which he will report briefly the progress of all works going on in the division and any other events of interest and importance. This diary or progress report will be submitted to the Conservator through the Deputy Commissioner of the district, who will record any remarks he may wish to make. Should the jurisdiction of the divisional forest officer extend over more than one district a separate diary or progress report will be written for each district. Any remarks made by the Conservator, except on technical matters, will be shown to the Deputy Commissioner.
- vii) (For irrigated plantation divisions only - To ensure by personal inspection adequate organization and control that each and every compartment in the plantation is properly watered.

CHAPTER II

APPOINTMENT OF PERSONS TO BE FOREST OFFICERS UNDER SECTION 2 AND 76 OF ACT XVI OF 1927 AND POWERS GRANTED UNDER SECTION 68

Appointment of Inamkhors and Lambardars in the Rawalpindi District to be Forest Officers.

Notification No. 33, dated the 15th January, 1906 and Financial Commissioner, Revenue, West Punjab, No. 1482/R dated 28.10.47.

All Inamkhors and lambrdars in the Murree Tahsil and in the Pahar and Kahru assessment circles of the Kahuta Tahsil of the Rawalpindi District , are appointed to the Forest Officer within the meaning and for the purpose of Section 64 and 79 of the Forest Act.

Notification No.290, dated the 3rd June, 1907.

For the purposes of the rules passed under Section 41 and 42 of Act XVI of 1927 for the Rawalpindi District in Notification No.29 of 7th January, 1907 the following shall be the Forest Officer:-

Any officer of the Forest Department employed in the Rawalpindi Forest Division who may be so authorized by the Divisional Forest Officer, as well as any person authorized by name as holding an office by the Deputy Commissioner of the Divisional Forest Officer to do anything required to be done by the Forest Officer under these rules.

So far as it is necessary for the purposes of carrying out their duties the said persons are hereby also appointed Forest Officer for the purposes of sections 44,52,55,56 and 64 of Act XVI of 1927.

Appointment of the Collector , Lahore, Cantonment Magistrate, and guards appointed by them to be Forest Officers in respect of reserved forests managed by the Military authorities.

Notification No. 402 dated 6th October, 1890.

The collector of Lahore for the time being and the Cantonment Magistrate of Lahore Cantonment , and all guards appointed by them, are appointed to be Forest Officers; and under section 76 of Act XVI of 1927 the said Collector and the said Cantonment Magistrate and the said guards are appointed to do all acts and exercise all powers that are prescribed by the Act or by rules made under it to be done by a Forest Officer ; such powers to be exercised in respect of those reserved forests only which are from time to time managed by the Military

authorities of the Lahore Cantonment.

Under Section 25 of Act XVI of 1927 , the same Cantonment Magistrate is empowered , with the previous sanction of the Collector of Lahore, to stop ways and watercourses in the reserved forests aforesaid , subject to the provisions of the section.

Under section 68 of Act XVI of 1927 the said Cantonment Magistrate is hereby granted all powers to compound offence given by that section; and in cases where , under that section, he may have accepted a sum of money as compensation for any damages which may have been committed, the Collector of Lahore is hereby under section 76 of the Act, empowered to authorize the payment of any portion of the amount realized (not exceeding three-fourth) as a reward to any person or persons who may have contributed to the discovery of the offender.

The Collector of Lahore to control the said Cantonment Magistrate and all guards appointed and that Magistrate, and to hear appeals against his orders , and to revise his proceedings.

Appointment of the Commandants, etc. of the various Silladar Camel Corps to be Forest Officers in certain Forests

Notification No.15475- Forest , dated the 10th May, 1922.

In exercise of the powers conferred by section 2 of the Act XVI of 1927, the Governor-in-Council is pleased to appoint the Commandant, all Risaldars and all Dafadars of the 57th Silladar Camel Corps to do all acts and exercise all powers that are prescribed by the said Act or rules made under it to be done by a Forest Officer or by any Forrest Officer in respect of forest areas specially allotted to the 57 Silladar Camel Corps for browsing of camels belonging to the Corps.

Notification No.15476- Forests, dated the 10th May, 1922.

Under section 68 of the Act XVI of 1927, the Governor in Council is pleased to invest with the powers described in the said section the said section the Commandant for the time being of 57th Silladar Camel corps stationed at Multan : such powers to be exercised only in respect of the portion of the Makhdum Vanoi Reserved Forerst and of the Arjanwala and Totgarh Tahl Singh Protected Forest set apart for the browsing of the said corps.

Notification No. 11854-Forests , dated the 29th May, 1918.

In exercise of the powers conferred by section 2 of the Act XVI of 1927, the Lietenant –Governor is pleased to appoint the officers for the time being

Commanding the 50th and 51st Silladar Camel Corps, stationed at Campbellpore and Rawalpindi , respectively to be Forest Officer under the said Act.

Notification No. 11855-Forest, dated the 29th May, 1918.

Under section 68 of the Act XVI of 1927, the Lieutenant –Governor is pleased to invest with the powers described in the said section the officers for the time being Commanding the 50th and 51st Silladar Camel Corps, stationed at Campbellpore and Rawalpindi respectively : such powers to be exercised only in respect of the portion of the Kalachitta (working circles I and II) Khairimurat and Margalla Reserved Forests set apart for the browsing of the said Corps.

Notification No. 23035, dated the 11th September, 1922.

In exercise of the powers conferred by section 2 of the Act XVI of 1927, the Governor-in-Council is pleased to appoint the Commandant, all Risaldars and all Dafadars of the 52nd Silladar Camel Corps to do all acts and exercise all powers that are prescribed by the said Act, or rules made under it, to be done by a Forest Officer or by any Forest Officer in respect of those portions of the forest areas specially allotted to the 52nd Silladar Camel Corps which are opened in any year for browsing season, as prescribed in the sanctioned Browsing Scheme for the said Corps, but at no other time;

Notification No. 23036 dated the 11th September, 1922.

Under section 68 of the Act VI of 1927 the Governor in Council is pleased to invest with the powers described in the said section the commandant for the time being of the 52nd Silladar Camel Corps, stationed at Jhelum : such powers to be exercised only in respect of the forest set apart for the browsing of the said Corps.

Notification No.23038, dated the September, 1922.

In exercise of the powers conferred by section 2 of the Act XVI of 1927, the Governor-in-Council is pleased to appoint the Commandant, all Risaldars and all Dafadars of the 53rd Silladar Camel Corps to do all acts and exercise all powers that are prescribed by the said Act, or rules made under it, to be done by a Forest Officer or by any Forest Officer in respect of those portions of the forest areas specially allotted to the 53rd Silladar Camel Corps which are opened in any year for browsing season, as prescribed in the sanctioned Browsing Scheme for the said Corps, but at no other time;

i) Notification No.23039, dated the 11th September, 1922.

Under section 68 of the Act XVI of 1927 the Governor in Council is pleased to invest with the powers described in the said section the commandant for the time

being of the 53rd Silladar Camel Corps, stationed at Sargodha, District Shahpur : such powers to be exercised only in respect of the forest set apart for the browsing of the said Corps.

r) Notification No.26782, dated the 31st October,1922.

In exercise of the powers conferred by section 2 of the Act XVI of 1927, the Governor-in-Council is pleased to appoint the Commandant, all Risaldars and all Dafadars of the 55th Silladar Camel Corps to do all acts and exercise all powers that are prescribed by the said Act, or rules made under it, to be done by a Forest Officer or by any Forest Officer in respect of forest areas specially allotted to the 55th Silladar Camel Corps for browsing of camels belonging to the Corps.

Notification No. 26783 , dated the 31st October,1922.

Under section 68 of the Act XVI of 1927, the Governor in Council is pleased to invest with the powers described in the said section the Commandant for the time being of the 55th Silladar Camel Corps, stationed at Montgomery : such powers to be exercised only in respect of the portion of the Sahoka Reserved Forest of Multan Forest Division and Mirdad Reserved Forest of the Lahore Forerst Division set apart for the browsing of the said Corps.

Notification No.26785, dated the 31st October,1922.

In exercise of the powers conferred by section 2 of the Act XVI of 1927, the Governor-in-Council is pleased to appoint the Commandant, all Risaldars and all Dafadars of the 56th Silladar Camel Corps to do all acts and exercise all powers that are prescribed by the said Act, or rules made under it, to be done by a Forest Officer or by any Forest Officer in respect of forest areas specially allotted to the 56th Silladar Camel Corps for browsing of camels belonging to the Corps.

Notification No.26786, dated the 31st October, 1922.

Under section 68 of the Act XVI of 1927, the Governor in Council is pleased to invest with the powers described in the said section the Commandant for the time being of the 55th Silladar Camel Corps, stationed at Montgomery : such powers to be exercised only in respect of the portion of the Sahoka Reserved Forest of Multan Forest Division and Muhammadpr Reserved Forest of the Lahore Montgomery Forest Division set apart for the browsing of the said Corps.

Appointment of rakhas in Revenue Districts as Forest Officers

Notification No.4092-Ft., dated 31st December, 1941.

In exercise of the powers conferred by sub-section (2) of the Act XVI of 1927 , the Governor of the Punjab is pleased to appoint the rakhas employed by Ind-

lords for the protection of their private lands notified under section 38 of Act XVI in the revenue districts specified in the schedule hereto annexed to do anything required by this Act or any rule made there under to be done by a Forest Officer:-

SCHEDULE

Serial No.	Revenue Districts	Executive Forest and Soil Conservation Charges
1.	Attock	Attock Soil Conservation Division
2.	Jhelum	Jhelum Forest Divion
3.	Shahpur	Dittoo
4.	Mianwali	Dittoo
5.	Gujrat	Gujrat East Forest Divison
6.	Sialkot	Dittoo
7.	Rawalpindi	Rawalpindi Forst Divison.

11. Appointment of certain officers of the P.W.D. in Irrigation Branch to be Forest Officers.

Notification No. 469-D(F) dated the 6th February, 1951.

In exercise of the powers conferred by Sub-section(2) of Section 2 of the Forest Act, 1927. the Governor of the Punjab is pleased to appoint all Sub-Divisional Officer Deputy Collectors and Executive Engineers in the P.W.D. , Irrigation Branch to be Forest Officers for the purpose of exercising the powers under Section 68 of the said Act in respect of forest offences committed within the limits of the lands declared as protected forests vide , Punjab Government Notification No.260-FY., dated the 8th February,1946.

Notification No.431-D(F), dated the 6th February,1951.

In exercise of the powers conferred by Sub-Section(2) of Section 2 of the Forest Act, 1927, the Governor of the Punjab is pleased to appoint all overseers and Executive Engineers in the P.W.D. ,Irrigation Branch, to be Forest Officer within the meaning of Section 52,56,57,64,66 and 79 of the said Act within the limits of the lands declared as protected forests vide, Punjab Government notification No.260-Ft., dated the 8th February, 1946.

CHAPTER III.

Rules regulating the payment of rewards to certain Revenue Police and Forest Officer under section 76 of Act XVI of 1927.

Notification No.22890(part) dated 26th September , 1923.

In supersession of Notification No.533(part), dated the 8th December,1879

1. All Revenue Officers below the rank of Tahsildar and all Police Officers upto and including Inspectors , all Forest Officer below the rank of Extra Assistant Conservator and Forest Office Clerks and messengers, as well as persons who are not public servants are eligible for rewards under these rules.
2. On conviction of an offender, or on directing the confiscation of property, under section 56 the Magistrate by whom the case has been decided is authorized to grant such reward and in such proportions as the my think fit, to any person or persons who have contributed to the seizure of the property confiscated , or the conviction of the offender, provided that the total amount of the reward shall not exceed the estimated value of the property confiscated plus the amount of any fine imposed.
3. If in any case the fine and the proceeds of the property confiscated cannot be immediately realized, the Magistrate deciding the case shall at once pay the reward (provided that it does not exceed Rs.100) If in any case the Magistrate considers that more than Rs.100 should be distributed as rewards he shall distribute Rs.100 at once, and shall submit his recommendation for a larger reward, through the Conservator of Forests concerned, for the orders of the Punjab Government , giving reasons for the same.
4. In case the Magistrate has not at his disposal a fund out of which the reward can be paid, or in the case of an order of confiscation where by law the Forest Officer takes charge of the property , the Forest Officer of the Division shall on requisition furnish the Magistrate with the necessary funds.
5. In any case the rewards shall be paid within the limit and under the sanction provided in rule 6, even through the fine may not have been realized. In cases in which the Forest Officer has furnished the funds under the rule, the fine on recovery shall be paid over to him.
6. If after payment of the reward the conviction is reversed in appeal, the amount paid away in reward shall not be recovered from the persons to lwhom it has been paid unless it shall appear that they have acted fraudulently in the case.
7. In case where, under section 68 of Act XVI of 1927, a Forest Officer has accepted a sum of money as compensation for any

damage which may have been committed , the Conservator of Forests concerned may authorize the payment of apportion of the amount realized(Not exceeding three-fourths) as a reward to any person or persons who may have contributed to the discovery of the offender.

CHAPTER IV

SHOOTING, HUNTING AND FISHING RULES

General rules regarding shooting, hunting and fishing in Reserved and Protected Forests, under section 26(i) and section 329(i) of Act XVI of 1927

Notification No.76 dated the 7th May, 1891.

Amended by No. 2513, dated the 15th February, 1917
In supersession of No.208, dated the 2nd May, 1879.

1. The setting of snares and traps the use of small mesh nets to catch or of dynamite to destroy fish, and the poisoning of water, are prohibited.
2. Hunting or shooting with elephants and with large parties of beaters is prohibited
3. The Conservator of Forests may declare and publicly notify and Reserve or Protected Forests or portion of such forest for such periods as may be necessary when it is desirable in his judgment so to close such forest or portion of a forest.

Rules to regulate the shooting of Urial in Reserved and Protected Forests in the Attock, Jhelum, Shahpur and Mianwali Districts under Section 26(i), 32(j) and Section 76 (d) of Act XVI of 1927.

Notification No. 18639-S., dated the 18th August 1919

Amended by Notification No.746-Ft., dated 9th April, 1945.

In supersession of all previous notification on the subject except No.76, dated the 7th May, 1891, which will still remain in force.

1. The shooting, trapping or killing in any way of Urial is absolutely prohibited between September 1st and October, 14th inclusive and at all other times except under license to be granted on payment of the license fees, stated in rule 2 below, by the Deputy Commissioner of the District concerned, provided that the Deputy Commissioner may delegate authority to grant license to the Forest Officer of the Division.
2. The following rules will govern the issues of licences:-
 - a) Licenses will be of two kinds, viz:-
 - i) a license granted for a period of 10 days on payment of a fee of Rs. 20, for the shooting of 4 male Urial, Not more than one such license will ordinarily be granted to one person in one shooting season,

- ii) a license granted for a period of 7 days, on payment of a fee of Rs.10 for the shooting of 2 male Urial. Not more than two such licenses will ordinarily be granted to one person in one shooting season.
- b) The holder of a shooting license may be required to shoot one old ewe for every male Urial shot or irrecoverably wounded.
 - c) No male Urial having horns less than 23 inches in length may be shot.
 - d) An application for a license will not be considered more than one month before date on which the license is required.
 - e) All licenses are issued subject to the conditions printed therein.
 - f) In the absence of any future notice which may be issued by the Conservator of Forests, Punjab, persons requiring licenses should apply to the Deputy commissioner of the District concerned.
 - g) A license may be cancelled at any time by the officer granting it or by the Conservator of Forests. Any breach of the Forest Act, 1927, or of any rule made thereunder if committed by the holder of any rule made by any of his retainers or followers, shall render a license liable to cancellation. Licenses are liable to be declared invalid in respect of any particular forest in the case of fire breaking out in any part thereof or in the case of interference with forest work.
 - h) The holder of a license is not exempted from liability under the Forest Act or any other law for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.
3. The total number of Urial which may be shot in any district during each shooting season will be settled by the Conservator of Forest Punjab in consultation with the local officer.
 4. Gazetted officers serving the Punjab Government when on tour within their district may shoot without obtaining a license provided that:-
 - i) they do not visit any block at the time when it has been assigned to another licensee;
 - ii) they are bound by the shooting rules in all other respects.
 5. Deputy Commissioners of the districts specified may exempt individual land-holders in the possession of arms licenses from the operation of these rules.

Rules to regulate the hunting and shooting of and the setting of traps or snares for the capture of small game in the Punjab under clause (j) of section 32 and clause (d) of Section 76 of the Forest

Act. 1927.

Notification No.534-Ft , dated the 27th Masy, 1939.

Amended by Notification No.679-Ft dated 6th March ,1941.

I. These rules shall be called the “Punjab Forest Small Short title Game Rules , 1939.”

They apply to all reserved and extent protected forests of every class in the Punab (other than those in which special sporting rights have been recorded under the Forest Settlements).

2. Definitions,-- In these rules the term “ small game” Definition . Denotes the following species:-

Serial No.	Scientific Name	English Name	Vernacular name	Period during which the shooting of game under licence is permitted
1	2	3	4	5
1.	Crocopus Phoenicopeterus	The Green Pigeon	Kandel,harrial, kokla , latta, nilsar guggu, गया	15 th September to 15 th March
2.	Sphenocercus sphenurus	The wedge tailed Green Pigeon	Kandel,harrial, kokla , latta, nilsar guggu, गया	
3.	Columba livia	The Blue Rock Pigeon	Kabutar	
4.	Columba rupestris	The Blue hill Pigeon	-do-	
5.	Columba cenas	The Eastern stock pegeon or Dove	Salara kabutar , Kamarkular	
6.	Columba Leuconota	The white bellied or snow Pegeon	Bhusli, bujul, Bhujri, rapia, charan, luku	
7	Dendrotren hodgsonii	The speckled wood Pigeon	Kamlowa, Chittal Kabutar	
8.	Streptopetia	Rufous Turtle	Kamlowa,	

		Dove	Chittal Kabutar, Laber	
9.	<i>Columba palumbus</i>	The Eastern wood Pigeon or Ring Dove	Dhond, Kabutar	
10.	<i>Streptoelia chinensis</i>	The Indian spotted dove	Ghugi, fakhta tottru, chhota fakhta.	
11	<i>Streptopelia docaecto</i>	The Indian Ringdove	Ghuggu, fakhta ghagii, panduk geyrra	
12	<i>Pavo cristatus</i> ..	The Common Peafowl.	Mor, manjhr, bodar	15 th September to 1 st March
13	<i>Gallus bankiva</i> ..	The Common Red Jungle Fowl	Jangli murghi, ban kukar, kukar.	
14	<i>Catreus wallichit</i> ..	The Chir Pheasant	Chir, Chihir, chaman, chair	1 st October to 15 March
15	<i>Cereornis macrolophus</i>	The Pukras or Koklas Pheasant	Koklas, Khwakta, phokras plachh khwakah	
16	<i>Gennaeus hamiltoni</i>	The White crested Kali.	Kps;e, kalij, kalesha.	
17	<i>Lophophorus impejanus</i> .	The Impeyan Pheasant or Monal	Monal karrari, nll , bod, narel, neroala, nil wal	
18	<i>Tragopan melanocephalus</i>	The Western Horned Pheasant	Phulgar, jaji, jiji, jijurana, jowar.	
19	<i>Perdicula asiatica</i>	The bush quail ..	Lowa, lawa, batol, batoli, choonuk	15 th September to 15 March
20	<i>Arborophila torqueola</i> .	The Hill partridge	Piora pimra, pahari titar, ban titar.	
21	<i>Alectoris graeca</i> ..	The Chukar or Chikor	Chukor Chukra, Chakur, khonk, kaunk, kakh chahru	
22	<i>Ammoperdix griseogularis</i>	The See-see Part ridge	Sisi, sasi sussi, kakki, chaukla	
23	<i>Francolinus francolinus</i>	The Black Partridge	Kala titar, koddi titar	1 st November to 1 st March –

				vide Government Notification No. 430-C., dated 2 nd February 1937
24	Francolinus pondicerianus	The Grey Partridge	Titar, titur, baggatitar, patila	
25	Tetraogallus himalayensis	The Himalayan Snow Cock	Golind, golaund, lip lipya	1 st October to 15 March
26	Tetraogallus tibetanus	The Tibetan Snow Cock	Golind, golaund, gourkagu	
27	Lerwa lerwa	The Snow Partridge	Ram chakru, ram chukor, tillu, dhedu, chakkru	
28	Turnix dussumieri	The little Button Quail	Lawa, chhota lawa	
29	Turnix maxulatus	The Indian Button Quail		
30	Scolopax rusticola	The Wood cock	Simkuri, jalakri, jul kukri, smukukri	
31	Capella nemoricola	The Wood Snipe	Burra chaha	
32	Capella solitaria	The Eastern Solitary Snipe	Sumkukri chaha, chaba, jalakri	
33	Capella gallinago	The Common Fantail Snipe	Chah, jalakri	
34	Capella stenura	The Pin-tail Snipe		
35	Capella media	The Great Snipe		
36	Lymnocyptes minima	The Jack Snipe	Chota chaha	
37	Rostratula bengalensis	The Painted Snipe	Rangila chaha, chabarcha	
38	Lepus ruficaudatus	The Common Indian Hare	Khargosh, seru pharru, susya sasa, seha, sai ya sahu	
39	Lepus hypsibius	The Upland Hare	Ditto	

3. The snaring, trapping and netting of small game is prohibited.
4. The Shooting of small game is prohibited except as provided for in rule 6 and in column 5 of the schedule to rule 2.
5. No person shall destroy or take the eggs or nests of any small game without the written permission of the Divisional Forest Officer concerned.
6. A license, for which the sum of Rs. 5 will be charged will permit the holder to shoot small game in any forest not closed to sport by the Conservator of Forests subject to the seasons for the period 15th September to 15th March. Such licence may be granted by the Divisional Forest Officer of the division in which the licensee intends to shoot.
7. Any person, who holds a licence to shoot Urial in the districts of Attock, Jehlum, Shahpur, Minawali and Rawalpindi shall be entitled to shoot small game, in the forests within this area, without a small game licence subject to the seasons mentioned in column 5 or rule 2.
8. The Conservator may, from time to time, limit the number of small game licences to be issued, and the maximum number of each kind of game to be shot by the holder of a licence is one day, and may from time to time prohibit shooting in any particular forests or the shooting of any particular kind of small game for a period not exceeding three years with the concurrence of the Deputy Commissioner.
9. Shooting of roosting birds is strictly prohibited
10. The holder of a licence under these rules may use dogs for the purpose of flushing and retrieving birds and hares.
11. Nothing in these rules shall be deemed to interfere with the recorded sporting rights of jagirdars within the limits of their own jagirs.
12. A licence may be cancelled at any time by the officer granting it, or by the Conservator of Forests. Any breach of the Forest Act, 1927, or of any rule made thereunder if committed shall render a licence liable to cancellation. Licences are liable to be declared invalid in respect of any particular forest in the case of fire breaking out in any part thereof or in the case of interference with forest work.
13. the holder of licence is not exempted from liability under the Forest Act or any other law for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

Fule to regulate the Hunting and Shooting in the Punjab under Section 14 of lthe Punjab Wild Birds and Wild Animals Protection Act, 1954.

Notification No. 833-AH/55/5099, dated 23rd December, 1955

Amended by Notification No. 5628-AH (F&A)-56/13363, dated 17-1-1956.

Notification No. 5652-AH (F&A) –56-3360, dated 17-12-1956.

Notification No. 563-SH (G&S)-56-13367, dated 17-12-1956

In exercise of the powers conferred by Section 14 of Punjab Wild Birds and Wild Animals Protection Act, 1954, the Governor of West Pakistan is pleased to make the following rules, previous publication of which has been made in West Pakistan Government notification No. 205-55-AH., dated 24th November:-

Rules

1. These rules may be called the Wild-Birds and Wild Animals Protection Rules 1955.
2. They shall extend to the following districts, viz., Campbellpur, Dera Ghazi khan, Gujranwala, Gujrat, Jhelum , Jhang Lahore, Lyallpur, Mianwali Montgomery, Multan Muzaffargarh, Rawalpinid, Shahpur, Sheikhupura and Sialkot and shall come into fore immediately.
3. In these rules, unless there is anything repugnant in the subject or context:-
 - a) “ The Act” means the Punjab Wild Birds and Wild Animals Protection Act, 1954;
 - d) “Provincial Fauna Protection Committee” or “ District Fauna Committee” means committee appointed under these rules to carry out the purposes of the Act;
 - c) “Licence” and “permit” include “ special licenses “ and “ Special permit” respectively.

PART(A)

GENERAL RULES

4. (I) The period of every shooting license under these rules other than the permit to shoot Urial, shall terminate on the date on which the licences Arms licence terminates;
 - ii) The fee for the renewal of a licence shall be that which is prescribed in these rules for the issue of the licence;
 - iii) The licences for :-
 - a) Course with grey hounds:

- d) Hawking;
- b) Possession of wild birds and wild animals shall terminate on the 30th September, each year.

5. The licences issued under the Act shall be signed by the Deputy Commissioner of the District concerned or by the Game Warden, Lahore. These signed licences shall be numbered and entered in the registers in the office of the Deputy Commissioner or the Game Warden, Lahore and shall be supplied to the various licence-issuing agencies for sale.

The same procedure shall be adopted for the renewal of these licences.

- 6. The blank forms of licences shall be supplied to each Deputy Commissioner by the Game Warden, Lahore. These licences shall be entered in a register in the office of a Deputy Commissioner. The account of issue of licences in the Deputy Commissioner's office shall be checked by the Game Warden, Lahore or any other person authorized by him.
- 7. The licences mentioned in section 4 of the Act shall carry, pasted therein a photograph (Passport size) of the holder thereof and must be in his possession when he goes out for the purpose of shooting or hunting with grey hounds or hawking. The photograph should be duly attested by the authority issuing the licence, who should first satisfy himself, that the photograph which must be in good condition bears a reasonable resemblance to the holder of the licence.
- 8. When a licence, granted or renewed under the Act is lost or accidentally destroyed, the authority empowered to grant such a licence, may issue a duplicate thereof (which shall be a duplicate copy of the original licence) on payment of a fee of rupees five.
- 9. (a) The holder of a licence shall deposit the licence with the issuing agency within a month of the date of its expiry when it is no longer required:
 - c) If the licence is not deposited or renewed within a month from the date of its expiry, the holder shall pay a penalty amounting to the actual fee of that licence in addition to the licence fee.
- 10. A licence issued under these rules shall not entitle the holder thereof to kill or to capture or to possess whether dead or alive any wild bird or wild animal which is not included in any of the Schedules to the Act.
- 11. The following persons are authorized to require the production of a licence under section 5 of the Act or to lodge complaints under section 9 of the Act:-
 - a) All Gazetted Officers, Civil or Military, in the service of the Government;
 - b) All Magistrates ;

- c) All Police Officers not below the rank of Sub-Inspector;
- d) All Forst Officer not below the rank of Forest Ranger
- e) All member lof Provincialf Fauna Protection Committee or District Fauna Committees;
- f) All Game Inspectors and Game Watchers;

12. coursing with grey hounds and hawking shall be governed by these Ruels, and no person shall kill or capture andy of the Act, by means of hawks or grey hounds, without a licence, The holder of a licence uner these rules may use dogs for the purpose of flushing and retrieving birds and hares..

The licence fee for hawking and for coursing klwith grey hounds payable yearly shall be as under:-

i) Fee for hunting with Hawks:-

	Rs.
Baz and Jurra	40 per bird
Basha	30 per bird
Shikra	20 per bird
Falcons	20 per bird

ii) Fee for the possession or coursing with grey hounds:-\

	No. of grey hounds fee per district (RS)	Fee for all the districts mentioned in Rule2 (Rs)
One grey hound	5	15
Two grey hounds	10	30
Three grey hounds	13	40

For every grey hounds above three , a fee of Rs.2 per district and a fee of Rs.6 for all the districts mentioned in Rule 2 shall be levied.

The fees for al the districts mentioned in Rule 2 as given above shall be inclusive of the fee for the district for which a licence is originally valid.

The season for coursing with grey hounds fand hawking shall be that prescribed in column 5 of Schgedule II of the Act and the capute or killing of wild birds and wild animals by hawks and grey hounds at any other period of the year is prohibited.

12-A For coursing competition by Registered Clubs , hares shall be captured under a special permit to be obtained from the Game Warden , on payment of Rs,50 valid for the period from 15th September to 31st March, only.

13(a) No one shall use more than one hawk while hawking and the holder of the hawking licence shall not kill more than four birds in all in one day;

b) It shall not be lawful to hawk game with parties of several hawks,

- 14 . while coursing with grey hounds not more than two grey hounds shall be slipped from leash after hares at a time.
15. The killing or capture of any of the wild animals mentioned in Schedule II of the Act by driving or cashing, with dogs or by the aid of artificial lights, is prohibited and not person shall lie in wait near any water or salt lakes for the purpose of killing or capturing any such animals , not shall any such animals be shot from any wheeled vehicle.
16. The licences issued under the Act shall not be transferable.
17. A permit to allow import and export contemplated by provison 4(4) of the Act, shall be issued by the Game Warden , Lahore.
18. A Game Isnpector or any other person authorized by the Game Warden , Lahoe may enter , with or without a warrant any place, tent building,shop or premises, in which he has reason to believe that there exist game , nests, or eggs or any part thereof by means of or in relation to which a breach of the Act has been committed and may open and examine any trunk ,box bag, parcel that is reasonably suspected of containing any such game, game nests, eggs or part thereof.
19. A Game Inspector or any person authoired by the Game Warden, Lahroe , may take possession of the net, trap of snare used for the game in the commission of an offence against the provisions of the Act to produce it before the court.
20. The substance of every order made under Section 12 of the Act shall be endorsed by the Magistrate on the licence and a copy of every endorsement so made shall , be sent to the authority by whom such licence has been granted.\
21. The Government shall appoint a Provincial Fauna Protection Committee and the Deputy Commissioner in each district shall appoint a District Fauna Committee to perform the functions assigned to it under these Rules and to advise generally about the protection of the Fauna.
22. No person shall possess a fire-are or a dog within a Game reserve or a sanctuary unless he has received a written permit to do so from the Game Warden, Lahore.
23. A licensee under these Rules shall not entitle the holder thereof to kill or to capture wild birds and wild animals specified in Schedule II of the Act in a Reserve Except under a permit to be issued by the Game Warden , Lahore on payment of fee as has been fixed and notified or may be fixed or notified afterwards.
24. It shall not be lawful to kill or to capture wild birds and wild animals specified in Schedule II of the Act within 250 yards around the game sanctuary area.

Part (B)

Shooting Rules

25. A licence to shoot such wild birds and wild animals as are included in Schedule II of the Act may be purchased from the under mentioned agencies, on payment of the fees and on the conditions prescribed in these rules:-

Licence Issue Agencies

- (i) Office of all Deputy Commissioners of the Districts mentioned in Rule 2.
 - (ii) Office of the Game Warden, Lahore.
26. (i) Shooting licence shall be of only one kind, i.e., "General Licence" and the fee payable therefore in case shall be Rs. 15 per annum.
- (ii) This licence shall be valid for the district mentioned in Rule 2.
- (iii) The holder of a shooting licence shall be entitled to shoot any wild bird or wild animal mentioned in Schedule II of the Act, except Urial.
27. The holder of a shooting licence shall not kill Urial unless he has obtained a permit valid for 10 days only, from the Game Warden, Lahore, on payment of Rs. 30 under permit two male Urial shall be killed. The minimum length of horns of Urial shall be 22 inches outside the curve.
28. A person having Urial shooting permit shall be required to return the permit after filling in the information wanted on the back of the permit to the Game Warden.
29. The use of beaters for the killing or capturing of Urial prohibited throughout the year.
30. The holder of a shooting licence shall not be entitled to kill after sunset and before sunrise wild birds and wild animals mentioned in Schedule II of the Act, except Ducks and Geese.
31. The holder of a shooting licence shall not be entitled to kill more than 8 black or grey partridges, 5 Chikors, and 6 Seesse Partridges in one day, but not more than 10 birds in all of the species mentioned in this rule. In case of shooting party the number of Black or Grey Partirdges to be shot shall be as under:
- | | | | |
|-----|---------------------|-----|------------------------------|
| (1) | A party of one gun | . . | 8 Black or Grey partridges.; |
| (2) | A party of two guns | . . | 16 Ditto. |

(3) A party of three guns 24 Ditto.

(4) A party of four or more
than four gun . . 35 Ditto

32. A shooting licence holder can bring in or take out his bag from the Districts mentioned in Rule 2, under a permit issued by the Game Warden, Lahore.
33. A party carrying more than four guns at a time and assisted by more than 16 beaters shall not be allowed to shoot Partridges, Seesees and Chikors unless such a party obtains a permit from the Game Warden, Lahore, who shall keep in view the condition of the shooting ground while issuing such permit.
34. A shooting licence may be issued on payment of the prescribed fees only to such persons as are entitled to carry guns and rifles for sport, under the Arms Act, 1878, or are exempted from the operation of that Act. Retainers shall not be permitted to shoot unless they are in possession of a shooting licence under these rules, for which the proper fee has been paid.
35. Every shooting licence shall be issued in the name of one person only. The death of the licensee or the cancellation of his licence shall automatically cancel his licence under these rules.
36. The licence issuing agencies mentioned in rule 25 shall maintain a register in the form appended to these rules. All licences issued or renewed by them shall be entered therein as soon as they are issued or renewed.

Part (c)

Possession Rules

37. A licence for possessing any wild birds and wild animals specified in Schedule III of the Act may be obtained, on payment of the fees prescribed in rule 38 from the Deputy Commissioner of the district or from the Game Warden, Lahore.
38. The fee for a licence for the possession of wild birds and wild animals specified in Schedule III of the said Act, shall be as under:-
- (i) Wild birds Rs. 3 per bird

(ii) Wild animals Rs. 10 per animal

39. A licence shall be used in the form appended to these rules.

REGISTER OF LICENCES ISSUED FOR RENEWED UNDER THE WILD BIRDS
AND WILD ANIMAL PROTECTION RULES

Date of issue or renewal	Name of applicant and his father's name	Address in full	No. and date of license under the Arms Act 1878 or of exemption order	No. of shooting licences	Kind of licence issued under rule	Fees recovered	Signature of agency issuing or renewing the licence
1	2	3	4	5	6	7	8

Serial No. of licence

Date of issue

In consideration of the sum of Rs. Received from

(whose 2" x3" size photograph duly attested by the undersigned is pasted on page opposite) this license is hereby issued to him and is valid to

This licence is issued under the provision of the Punjab Wild Birds and Wild Animals Protection Act, 1954 and and the rules framed thereunder.

Dated

District

Signature and designation of the authority
Issuing this licence.

RENEWAL ON PAYMENT OF THE LICENCE FEE.,

Period	Signature and designation	Date of renewal
Up to 1 st April 19		
Up to 1 st April 19		

SPECIAL LICENCE FOR HUNTING WITH HAWKS

Serial No.

Date of issue

In consideration of the sum of Rs

Received form

(whose 2" x3" size photograph duly attested by the undersigned is pasted on page opposite) this license is hereby issued to him and is valid upto 1st April, 19

This licence is issued under the provision of the Punjab Wild Birds and Wild Animals Protection Act, 1954 and the rules framed thereunder.

Dated

District

Signature and designation of the authority
Issuing this licence.

RENEWAL ON PAYMENT OF THE LICENCE FEE.,

Period	Signature and designation	Date of renewal
Up to 1 st April 19		
Up to 1 st April 19		

POSSESSION LICENCE

Serial No.

In consideration of the sum of Rs

Received form

(whose 2" x3" size photograph duly attested by the undersigned is pasted on page opposite) this license to possess wild bird () is hereby issued

to him and is valid upto 1st April, 19

This licence is issued under the provision of the Punjab Wild Birds and Wild Animals Protection Act, 1954 and the rules framed thereunder.

Dated

District

Signature and designation of the authority
Issuing this licence.

RENEWAL ON PAYMENT OF THE LICENCE FEE.,

Period	Signature and designation	Date of renewal
Up to 1 st April 19		
Up to 1 st April 19		
URIAL SHOOTING PERMIT	URIAL SHOOTING PERMIT	URIAL SHOOTING PERMIT
Serial No. of permit	Serial No. of permit	Serial No. of permit
Date of issue	Date of issue	Date of issue
In consideration of the	In consideration of the	In consideration of the
Sum of Rs.	Sum of Rs.,	Sum of Rs.
Receive from	Received from	Received from
This permit is hereby issued to his and is valid upto	This permit is hereby issued to his and is valid upto	This permit is hereby issued to his and is valid upto
This permit is issued under the provision of the Punjab Wild Birds and Wild Animals Protection Act, 1954 and the rules framed thereunder	This permit is issued under the provision of the Punjab Wild Birds and Wild Animals Protection Act, 1954 and the rules framed thereunder	This permit is issued under the provision of the Punjab Wild Birds and Wild Animals Protection Act, 1954 and the rules framed thereunder
Signature and designation of the authority issuing this licence.	Signature and designation of the authority issuing this licence.	Signature and designation of the authority issuing this licence.

Endorsement

(This permit shall be returned to the Game Warden, Lahore with the following information):-

1. Date of shooting

(From to)

2. Place

(Name of the game resort.).

3. Range

4. No of animal shot

5. Length of the horns

6. Remarks

Dated

Signature of the sportsman

NOTIFICATION

Dated the 21st September, 1954

No. 5139-54/4528-D (F).- In exercise of the powers conferred by clause (i) of sub-section (b) of Section 6 of the Punjab Wild Birds and Wild Animals Protection Act, 1933, the Governor of Punjab is pleased to order that shooting, killing capturing or netting o the Jungle-fowl and Kalij Pheasant is prohibited in the District of Rawalpindi throughout the year till further order and that in Column (5) Schedule 111 of the said Act, the following shall be inserted against serial Nos. (18) and (19) after the words "15th September to 1st March and 1st October to 15th March" respectively.

"except in the Rawalpindi dirstrict where it is protected throughout the year till further orders".

NOTIFICATION

Dated the 21st October, 1954

By No. 8006-54/301-D (F). –In exercise of the powers conferred clause (i) of sub section (b) of section 6 of the Punjab Wild Birds and Wild Animals Protection Act, 1933, the Governor of Punjab is pleased to order that shooting, killing, capuring or netting of all wild Birds and wild animals mentioned in Schedule III is prohibited in the Sodhi area in the Khushab tehsil of Sargodha district, (the boundaryline of which is described below) throughout the year till further order:-

"Start from Nurewala Rest House alongwith the road to kathwai and Khura-

Bhakki-one mile beyond Bahakki taking Rakh Parh within zones on to Nursing Phohar Northern Range to Pail and Padhrar to the boundary of the District down to Mangowal-katha Sagral-Nalli-back to Nurewala”.

And that the following note shall be inserted in the note already given in the end of Schedule III:-

“(B) except in Sodhi area Tehsil Khushab, District Sargodha, the boundary line of which is described as under, where shooting, killing, captureing or netting of all Wild Birds and Wild Animals mentioned above prohibited till further orders :-

NOTIFICATION

Dated the 27th October 1956

No. 4137-AH (F&A)/56.-In exercise of powers conferred by Section 6 (ii) of the Punjab Wild Birds and Wild Animals protection Act, 1954, the Governor of West Pakistan is pleased to order that shooting, killing, capturing or netting of Black and Grey Partridges in Gujranwala and Jhang Districts is prohibited throughout the year till further orders. And that the following note against serial Nos. 28 and 29 column 5 of Schedule II, after the words “1st November to 1st March” may be inserted:-

NOTIFICATION

Dated the 3rd November, 1956

No. 4416-AH (F&A)-56-10-411.-In exercise of the powers conferred by Section 8 (I) of the Punjab Wild Birds and Wild Animals’ Protection Act, 1954, the Governor of West Pakistan is pleased to declare that the area specified in the Schedule hereto annexed and sistuated in Lahore District shall be a Game Sanctuary for all Wild Birds and Wild Animals for a period of 5 years with immediate effect.

SCHEDULE

Tehsil	District	Locality	Area in acres
Chunian	Lahore	Jaja Kalan and Guruke	3590

BOUNDARY

North	The River Ravi from village Tauri to Thatta Kamiana	Mils 5
-------	---	-----------

South	Minor Dullu, village Jajja to Bridge Minor Guruke (from Burji No. 1 to 14).	3
East	From village Tauri to Saifal sem Nullah (from Burji 20/21 to 27) Lower Bari Doab Canal	2
West	Bridge Guruke Minor to Thatta kamina	

NOTIFICATION

Dated the 22nd October, 1957

No. 56 (G. II)-14-F&A/57/22143. –In exercise of the powers conferred by Section 6 (ii) of the Punjab Wild Birds and Wild Animals Protection Act, 1954 the Governor of West Pakistan is pleased to han shooting etc. of black and Grey Partidges in theDistrict ofLahore and Sheikupura including a portion lying within Lahore-Multan Road and Lahore-Lyalldur Rood (via Sharkpur) borh sides of the River Ravi agd that in column 5 against items 28 and 29 of schedule II, a separate dote shall be adder as under:-

:except Lahore and Sheikhpura District excluding a portion of Lahore and Sheikhpura District lying within Lahore-Multan Road and Lahore-Lallpur Road (via Sharkpur) both side of the River Ravi.”

CHAPTER V

Rules regulating launching, collection and rafting of timber and the registration of timber property marks, under section 41 of Act XVI of 1927

Notification No. 340, dated the 19th August, 1879

(No. 158, dated 7th April 1890

(No. 84, dated the 14th February 1903

Amended by (No. 97, dated the 25th February 1904

(No. 16946, dated the 21st May 1928

(No. 4149-C., dated the 10th December 1937

(No, 384-D(F), dated 23rd January 1953

1. Unless there is anything repugnant in the subject or context the word timber used in these rules shall be deemed to not to timber of other trees. Othre words used in these rules and defined in the Forest Act, 1927, shall be deemed to have the meaning respectively assigned to them by the said Act.
2. no person having launched his timber, or set it afloat on any river, shall collect the same, except:-
 - (a) with the permission, in writing, of the Forest Officer in charge of the Forest Division
 - (b) at the places which such officer may publicly notify as places at which such collection shall ordinarily be made.
3. No. person shall raft, or otherwise convey, any timber which has been collected on any river without first obtaining a pass from the Forest Officer in charge of the Forest Division in which such river is situated, or from such subordinate Forest Officer as the officer in charge of the Forest Division may authorise in that behalf.

Such pass shall show the number of logs or pieces, the kidn of timber, the marks indicative of the owner's property therein, the place of its destination, and the time for which it shall remain in force. It may specify that h te timber may be stopped for examination at certain places to be named in the pass, and the Forest Officer may require the measurements of the timber (when such is practicable) abd its estimated value to be entered.

No pass shall be issued for any unmarked timber, or for such timber as bears a mark not registered as provided in Rule 7 of these rules.

Any Forest Officer may require any person rafting or conveying timber as aforesaid, to produce the pass for the same at any time. No person shall be

entitled to raft or convey timber by virtue of a pass which he does not himself hold, but which is, or is stated to be, in the hand of some other person.

In the event of the pass not being produced, the Forest Officer may detain the timber.

In the event of the time mentioned on the pass as that for which it shall remain in force having expired before arrival at its destination of the property covered by the pass, the Forest Officer in charge of the division may extend the period during which the pass shall be further valid for such time as he may think proper at a charge not exceeding 25 percent, of the fees chargeable under Rule 5.

4. No person is permitted to deposit any timber for which a pas has been applied, but not yet issued, so close to the water's edge so as to endanger its being carried away by a rise in the river before the pass is issued.
5. For the issue of the pass a fee not exceeding six annas for each log or piece of round timber and three annas for each sawn or axe cut scantling may be levied on such rivers and at such places as the Chief Conservator of Forests may from time to time direct.
6. (I) No person shall, without the written permission of the Forest Officer incharge of the division:-
 - (a) cut up, move, conceal, mark or alter or efface any mark on any timber while in transit or adrift on any river, or while stranded on any bank or island of any river, or
 - (b) saw or cut up timber or burn timber for the manufacture of charcoal, bricks, lime or surki on any river used for floating purposes, or on any island of such river, or at any place on either bank of the main stream of such river which is within a distance of three miles from such bank at its cold season level, provided that the permission required shall be assumed to have been given if a man applies by a registered letter (acknowledgement due) addressed to the Divisional Forest Officer concerned and receives no orders within one calendar month from the date of the receipt of the acknowledgement certificate of the registered letter.

This Rule 6 (1) (b) shall not apply to any areas which are within the limits of any Municipality or Cantonment, nor to any pieces of unmarked, unsawn timber which are less than two feeting girth and four feet in length , provided that no person shall cut up timber in order to reduce it below this size. And it shall not apply to any areas on the downstream side of the following places:-

Shahdara on the Ravi River

Trimmu at the junction of the Jhelum and Chenab Rivers.

Makhad on the Indus River

(2) Every written permission granted under clause (1) shall specify the place at which alone it may be acted upon, and may contain such conditions as to the previous inspection of the timber and as to other matters as the Forest Officer may Consider necessary.

(3) Once a building has been constructed, or is so far constructed that the wood cannot be examined without dismantling then no inspection of the wood shall be made except by order of a magistrate duly empowered, nor shall any house be searched except on the authourity of search warrant duly signed by a Magistrate.

7. All poersons wishing to float or other wise convey timber by any river shall register, at the Forest Officer of the Division to which the control of the river pertains, the mark or mark which indicate their proprietary right in such timber. A registration fee of five rupees shall be payable for every separate mark so registered; and if the number of marks exceed three, the said fee shall be ten rupees for each mark.
8. no person shall be allowed to register a mark already registered in favour of another person, nor any mark used by Government ; and the Forest Officer may refuse registration of anymark which in his judgment so closely resembles a mark used by Government, or registered in favour of any person, as to able easily producible by altering such marks.
9. every registration under these Rule shall hold good for three years following the 1st of January next after the date of registration.
10. (1) Notwithstanding anything contained in the foregoing rules:-
 - (a) temporary property marks, for special consignments of timber to be transported by water, may be registered by the Forest Officer in charge of the Division to which the control of the river pertains, or, with the written permission of such Forest Officer, by the River Range Officer;
 - (b) such registration shall be made under such conditions as the Conservator of Forests may from time to time direct;

- (c) a fee of eight annas shall be payable for every separate mark so registered ; and
- (d) every such registration shall hold good for three months only from the date of the registration.

(2) Rule 8, and the second paragraph of Rule 9, of the foregoing rules shall have effect in the case of every registration made under this rule.

11. Any person infringing any provision of these rules shall be punished with imprisonment of either description, which may extend to six months, or with fine which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Rule under section 41 (f) and (g) of Act XVI of 1927 for the prevention and removal of any obstruction in the rivers.

Notification No.14548, dated the 9th May, 1921.

1. No person, other than an authorized officer of Government , shall close or obstruct the channel of any river used for the transit of timber, except under and in accordance with the conditions of a special license permitting the erection of a boom, weir or irrigation band, Such license may be issued by the Deputy Commissioner or the Divisional Forest Officer permitting the erection of a boom, weir or irrigation band.
2. (1) Any Forest Officer may prevent any acts likely to cause obstruction on the banks or in the channel of any river used for the transit of timber or other forest produce and the Divisional Forest Officer may cause to be removed any obstruction which has not been erected or caused by or with the permission of an authorized officer of Government under the authority of a special license.

(2) The cost of such prevention or removal may be recovered by the Divisional Forest Officer from the person causing the obstruction by proceedings under section 82 of the Act as if the amount were an arrear of revenue.
3. where the whole or partial removal of any irrigation or waste mill bands has been ordered by the Divisional Forest Officer under the provisions of these rules, that officer shall safeguard the interests of the right-holders as far as possible. No irrigation or water mill band may be opened for a period exceeding twelve hours during any one day.
4. The owner or the contractor in charge of the timber in transit shall before the expiry of the period of twelve hours mentioned in the

next preceding rule,

i) insure a flow of water into any irrigation or waster mill channel breached under these rules by closing the breach in a manner sufficient for this purpose.

ii) at his own expense make all necessary repairs to irrigation or water mill channels to which damage due to his timber operations has been caused.

5. The amount of compensation due on account of any loss incurred by the interference with the customary rights of irrigation or of water mills shall be assessed by the Deputy Commissioner and shall be paid by the owner of the timber or the floating contractor to the person concerned.

Standing Orders of the Chief Conservator of Forests, Punjab with refernce to the rules of NotificationNo.340, dated 19th August, 1879.

1. With reference to Irule 2 of Notification No.340 , dated 19th August,1879, the Divisional Forst Officer concerned will publicly notify the following as catching places within his jurisdiction respectively:-

On the Ravi

- 1) Chhani Tika

On the Chenab

- 1) Dhungi; 2) Beli and 3) Trot.

On the Jhelum.

- 1) Dalli; 2) Dhan; 3) Ghara and 4) Bhagam

and subject to permission in writing, traders are at liberty to collect their timber any of the above places.

- 2) With reference to rule 3 of the Notification passes for rafting or removal of timber from catchding places , or from places downstream , will be issued at the following depots:-

On the Ravi 1) Chhani Tika and 2) Shahdara

On the Chenab 1) Dhungi, 2) Beli,3) Trot, 4)Morala 5) Wazirable, 6)Khanki 7)Ram Nagar ,8) Chiniot, 9)Trimmu(Jhang District). 10) Banderghat, 11)Shersha and 12) Qadirabad.

On the Jhelum 1) Dalli 2) Dhan 3) Ghara 4) Bhagam 5) Baruti, 6) Pirraghaib.
7) Jhelum, 8) Malakpur 9) Chak Nizam, and 10) Khushab.

On the Indus 1) Khairabad and 2) Khushalgarh

- 3) Rafts of timber entering the Punjab waters from other Provinces for foreign States must be stopped at the first Government river depot and passes to proceed obtained.

The pass will be in the form appended to this Order. Passes will be serially numbered and bound in book form, carbon copies being provided for

- 4) The fees for all passes will be recovered by the Officer in charge of the depot issuing the pass or of the depot specified in the pass by him.
- 5) With reference to Rule 5 of the Notification the Chief conservator has in his order No. 7394, dated the 23rd July, 1950 fixed the following rates in supersession of the previous rates:-

	Rs. A. P.
i) Logs of all kind with a minimum girth of 2'-6" and a minimum length of 6 feet	0 4 0 each
ii) Broad gauge sleeper and larger Scantlings of all kinds	0 2 0 each
iii) Smaller scantling of all kinds and Cars *	0 0 6 each
iv) Firewood and scraps	0 4 0 per 1000 maunds
v) Bamboo	No fee.

vi) Quarter rates are to be charged for logs of all kinds with a girth of less than 2'-6" and length of more than 6" and also for logs of less than 6' length but more than 2'-6" girth.

*Note: Cars used for propelling rafts are exempted from payment of any fee, provided the exemption is only to apply to pieces of wood especially prepared as cars or puntpoles so used.

These fees are not to be levied on timber purchased from

Government at any depot, nor on timber conveyed by river by public departments. The Rajas whose estates border the Chenab or Jhelum Rivers are likewise not to be charged fees within their territories whether both or only one bank of the river is in the estate.

- 6) Timber once examined and covered by a paid –up pass, not removed by land, is then to be allowed to go down the river, without delay, to its final destination, and should not be stopped en route except on suspicion, or for other good cause (Rule 3, clause d5 of Notification Nof.340). It is only to be stopped for final examination, where it is checked and the pass given up. Any timber bearing the property mark of traders other than the property marks specified in the pass will be detained until the rafting fees due on the excess have been paid. Timber bearing clear property marks of traders other than the property marks specified in the pass will be handed over to the owners on payment of dues. Unmarked timber or timber bearing marks which have not been registered or marks which have been obliterated, altered or defaced will be dealt with under Section 45 of the Forest Act..
- 7) Timber that is not cleared as above at one of the river depots but is destined for some other place, will be examined and pass by special arrangement at its place of destination or at the river depot beyond which no river operations are carried out. All passes have to be delivered up on final examination of the timber which they cover.
- 8) persons, who take passes to a certain point and there store their timber, may again wish to put it in the river either as log or scantling and take it further down. In such cases a fresh pass must be taken out on payment of the usual fee.

Registration of temporary property marks.

- 9) Any person desirous of registering a temporary property mark under Rule 10-A of Notification No.340, for the transport by river of special consignments of timber, must send an application to the Range Officer in charge of the river concerned. Such applications must be accompanied by the fixed registration fee of rupee one (Re.1) and must state the quantity measurement and kind of timber or fuel which the applicant desires to transport, and the places where he wishes to launch and land the timber respectively. In the case of fuel he will state the number of cubic feet stacked.
- 10) The Range Officer will then inform the applicant of the property mark assigned to him and of the place from which he will be

permitted to launch and at which he will be permitted to land his timber. Permission to launch or land logs or scantlings will not be given from, or at, any place other than a notified depot where Government timber of a similar description is lying on the river bank.

11) The applicant will then clearly cut the allotted property mark on all logs and scantlings, after which he will transport his timber to the launching place and inform the Range Officer that he has done so.

12) The Range Officer will then:-

- a) See that the allotted mark is properly cut on all logs and scantlings;
- b) Issue the registration permit and authorize the issue of the rafting pass, in which the usual details of kind of produce, number and measurement will be entered. Both permit and pass will remain in force for three months only from the date of issue of the registration permit;
- c) Inform the Divisional Forest Officer and if necessary other Range Officer, of the registration of the mark.

13, Any timber found at the launching places in excess of that entered in the original application will be treated as Government property unless and until the applicant can prove satisfactory his ownership thereof.

14. When the timber reaches its destination the Range Officer or officer of rank not lower than that of a Forester, authorized by him will check it with the entries on the rafting pass, and will permit its removal, provided that the quantity of the timber is not over 6 percent greater than the entries in the rafting pass. In the event of the allowance being exceeded or of the timber not reaching its destination within three months of the date of the registration permit, he will not allow the removal of the timber and will refer the case to the Divisional Officer for orders.

15. On the expiry of the three months' period for which a temporary property mark has been registered, the mark must be given up to the Range Officer who registered it.

FOREST DEPARTMENT PUNJAB -----FOREST DEIVISION
 RAFTING PASS No. -----

-----Depot. Date of issue _____ 19 ----- Date of expiry ----- 19 ----

Property Mark Fee payable at Rs. ----- AS.-----Ps.----- Date of payment ----- 19 -----
 Rupees _____

(Name) _____
 (Rank) _____

Signature of Officer receiving payment

1	2				3	4	5	6	7
Name of owner	No. and description of timber				Estimated value	Rafting fees payable	Deposits at which fee payable and timber to examined	Depot where pass will be given up and timber passed out	Remark
	Kind	No.	Dimen sions	Cub conte nts					

For periods of renewal, if any, see overleaf
 For details calculation see column

Signature of issuing officer Name
Rank Depot

PERIOD OF RENWAL RENEWING OFFICER REMAKS
 From To Name Rank Charge

Rules regulating the collection of drift timber and payment of salvage fees under section 51 of Act XVI of 1927

Notification No. 341, dated the 19th August 1879

No. 84, dated the 26th January
 Amended by No. 372, dated the 7th December 1916
 No. 19805, dated the 3rd July, 1926
 No. 1799-Ft,dated the 7th November, 1944

1. Whenever on any river, owing to flood or otherwise timber has passed the place or all the places where it would ordinarily be caught and brought under control, or has, after being under control, broken loose, and is

consequently. Division in which such river is situate may, instead of collecting such timber himself, under section 45 of ACT XVI of 1927, grant permission in writing to the owner or owner to collect such timber.

2. The permission shall specify the kind of timber, the marks it should bear, the destination or manner of the disposal when collected and the time for which such permission shall hold good.
3. No person, shall, without such permission cut up, remove conceal, burn, mark, or efface or alter any mark or mark on, or sell or otherwise dispose of any such timber.
4. This rule 4 does not apply to the Jhelum river. The Forest Officer in charge of the Division may authorize Lambardars, or other respectable persons to salve timber which is adrift at any point on the river below the last catching place, and may cancel such authority.

For every log salvaged and taken to any drift timber depot notified by the Forest Officer under section 45 of the Act, the following salvage rates shall be payable either to the authorized salvager or to the Forest Officer, as the case may be:-

	RS.	A	P
For every log of deodar of 8 feet in girth and over	1	8	0
For every log of deodar of 5 feet in girth and over	0	12	0
For every log of deodar under 5 feet in girth	0	6	0
Sleepers and scantlings	0	6	0
		Each	

Salvage rates authorized for deodar shall be the authorized rates for all species of timber.

For salvage of scraps or firewood, one fourth of the pieces collected in kind.

The Forest Officer in charge may fix any higher rate, not exceeding three times the above rates, for salvaging on any portion of the river where such salvaging is unusually difficult or dangerous.

Nothing in this rule shall be held to prevent the Forest Officer contracting with such salvagers to raft the timber at certain places at rates agreed on by the parties, and no salvage rate shall be claimable in addition to any rate paid under such contract.

4-A. The Forest Officer in charge of the Jhelum Division may authorize lambardars or other respectable persons to salve timber which is adrift at any point on the river below the last catching place and may cancel such authority. The amount payable for the salvage of such timber delivered at any

drift timber depot, which may be notified by the Forest Officer under section 45 of the Act, shall be the same as the amounts payable according to the Act, shall be the same as the amounts payable according to the contract, if any, for the salvage of Government timber, in force at the time of the delivery of salvaged timber at such depot, or, in the absence of any such contract, and in any case not provided for by such contract, shall be regulated according to the following rates :-

Between Bagham and Jhelum

	RS. A. P.
For unsawn timber over 100 c. ft. each	= 5 2 0 per 100 c. ft.
For unsawn timber less than 100 c. ft.	
Each in content	= 4 10 0 ‘ ‘
For sawn timber if above 4 c. ft. ..	= 4 10 0 each
For sawn timber if less than c. ft. .	.. 0 2 9 ‘ ‘

Between Jhelum and chak Nizam

For unsawn timber over 100 c. ft. each	= 8 2 0 per 100 c. ft.
For unsawn timber under 100 c. ft.”	= 7 2 0 “ “
For sawn scantlings over 4 c. ft., “	= 0 5 9 each.
For sawn scantlings under 4 c. ft., “	= 0 2 6 “

4-B. The Deputy Commissioner, Mianwali, may authorize lambardars, or other respectable persons to salvage timber which is adrift on the Indus at Mari and Kalabagh, and may cancel such authority.

The following salvage rates shall be payable either to the authorized salvager or to the Forest Officer, as the case may be :-

	Rs. A.P
For every log of deodar wood 8 feet in girth and Over	.. 4 0 0 each
For every log of deodar wood 5 feet in girth and Over	.. 2 0 0 0”
For every log of deodar wood 4 feet in girth and Over	.. 1 0 0 0 “
For every log of deodar wood less than 4 feet in Girth	.. 0 8 0 “
For deodar sleepers or scantlings	.. 0 8 0 “

For logs and scantlings of other wood half the rates specified above.

For salvage of scraps or firewood one fourth in kind or one fourth of the price obtained if sold.

5. The collection or salvaging of timber adrift or standardized below all the

catching places by unauthorized persons is prohibited

6. whoever infringes any provision of the above rules shall be punished for every such offence with imprisonment for term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Standing Orders by the Chief Conservator of Forests with reference to rules of of Notification No.341, dated the 19th August 1879, regulating the collecting of drift timber.

1. No catching or collecting is allowed below the last of the catching places notified by the Divisional Forest Officer under paragraph of the standing Order issued by the Chief Conservator of Forests in connection with Punjab Government Notification No.340, dated 19th August, 1879, as subsequently amended, except to specially authorized persons. All timber collected below that point is said to be "salved", and this can only be done by Government agency, or by the "salver" authorized under rule 5 of Notification No.341.

2. The procedure prescribed in Chapter VIII of the Forest Act, 1927, must be carefully followed as regards timber stored at a drift timber depot
3. persons who have established their claims to drift timber, and have paid salvage and other costs which may have been incurred on the timber, will often wish to remove it by re-rafting on the river. Such timber is of course still under rule 3 of Notification No.340 and can only be rafted under a pass and on payment of the prescribed fees. The pass will be checked and given up when the timber reaches its final destination.
4. Drift timber depots will be notified by the Divisional Forest Officer, from time to time as the changing conditions may require.
5. It may happen that timber gets stranded (and, therefore , liable to be collected only by Government) below the catching depots; and that the timber is so large and heavy or in such difficult places that neither Government nor owner are able to move it. In such case the owner should be consulted and moved either to authorize the river officer to convert the log into such reasonable scantling as he may suggest, or sell it as it lies, to Government. In the former case, the scantling is taken to the depot, and given up on payment of the salvage fees for the log plus of cost of sawing. In the later, the logs will be treated as Government timber. If the owner will do neither, the log must be left.
6. River operations are not conducted on the"-
Ravi below Shahdara
Chenab " Shershah

Jhelum “ Trimmu(Jhang District)
Indus “ Makhad

Which are the final depots for all places below them respectively.

Rules prescribing the areas within which all unmarked timber shall be deemed to be the property of Government, under section 435 of Act XVI of 1927.

Notification No.222, dated the 9th May, 1879.
Amended by (No.188, dated the 9th April, 1881.
(No.296, dated the 7th May,1902

The following shall be the areas within which all unmarked wood and timber shall be deemed to be the property of Government , until, and unless, any person establishes his right and title thereto:-

The Jhelum and its tributaries within Pakistan territory

The Chenab	ditto	ditto	ditto
The Ravi	ditto	ditto	ditto
The Sutlej	ditto	ditto	ditto
The Indus	ditto	ditto	ditto

Including an area within a direct distance of five miles from either bank of the main stream of the said rivers, taking that stream at its cold-season level.

DEVELOPMENT DEPARTMENT

The 23rd August , 1949

No. 5073-D.—In exercise of the power conferred by clause (3) of section 45 of the Forest Act, 1927, the Governor of West Punjab hereby directs that all timber marked as specified below collected or to be collected, shall be exempt from the provisions of section 45 of the said Act:-

“ All timber which bears the register property mark of the Azad Kashmir Government even when in addition to a mark unregistered or obliterated.”

CHAPTER VI.

RULES UNDER THE PUNJAB FOREST (SALE AND TIMBER) ACT, 1913.

Rules regarding the registration of Timber Depots under Section 3 of the Punjab Forest (Sale of Timber) Act, 1913(III of 19133)

Notification No.1436, dated 12th January, 1923

Amended by Notification No.14696 dated 11th May, 1927.

1. In these rules---
 - (i) "Timber" includes only the following kinds:- Deodar (Dedrus deoara), Vernacular deodar, diar: Blue Pine9Pinus excedlsa), vernacular kail ander, anander, biar, Chir pine (Pinus logifolia), vernacular chil; Spruce (Picea Mornda) vernacular tos, partial ; Silver fir (Abies Pindrow), vernacular rai, Partal,
 - (ii) "Depot" means any building or place where timber is brough or stored for sale.
2. No person shall establish or maintain a depot unless it is registered in accordance with these rules.
2. Any person wishing to established or maintain a depot shall register the same in the office of the Forest Division in which the depot is situated, and shall give in respect of such depot such details in regard to origin of timber as may be required by the Conservator of Forests. Every person registering a depot shall be and remain responsible for the observance of all rules which may from time to time be notified by the Punjab Government under Section 3 of the Punjab Forest(Sale of Timber) Act, 1913, provided that the Divisional Forest Officer, with the approval of Conservator , may exempt by order in writing any timber dealer from the operation of such rules as he may consider necessary. Each depot registered under this rule shall be assigned a number by the registering officer. In the case of persons having depots at the date of the publication of these rules a period of six months from such date will be allowed within which the depots existisngon such date shallbe registered.
3. The Officer incharge of a Forest Division may refuse registration at discretion for reasons which shall be stated in writing , but an appeal against an order refusing registration shall lie to the deputy Commissioner. No owner of a depot, in the following manids, in existence ast thetime of the introduction of these rules, shall be refused registration:- Jhelum , Wazirable, Lahore, Chak Nizam, Khushab, Ram Nagar, Chin Chiniot, Khanki, Jhang, Multan.

4. Every person having a registered depot shall register his sale hammer-mark in the office of the Forest Division in which the depot is situated.

No fee shall be paid for the registration of the sale-hammer mark.

5. No person shall be allowed to register a mark already registered in favour of another person, not any mark used by Government, and the Officer in charge of a Forest Division may refuse registration of any mark which in his judgement so closely resembles a mark used by Government or registered in favour of any person as to be easily altered to counterfeit such mark.
6. The registration of a mark under rule 6 shall hold good for a period of three years from the date of such registration.
7. The owner or person in charge of a registered depot may at the discretion of the Divisional Forest Officer be required to maintain correctly either or both of the following forms:-

- i) A register of receipts of timber showing—
 - 1) Date of receipt.
 - 2) whence received
 - 3) Name of person from whom received
 - 4) Species
 - 5) Marks
 - 6) Number of logs or pieces
 - 7) Description
 - 8) Remarks

- ii) A register of sales and removals of timber, showing:-
 - 1) Date of sale
 - 2) Date of removal
 - 3) Name of person to whom sold or made over
 - 4) Destination
 - 5) Species
 - 6) Marks
 - 7) Number
 - 8) Description
 - 9) Remarks

9) Every owner or person in charge of a registered depot shall produce the above registers for scrutiny when called upon to do so in cases arising out of theft of timber by the Divisional Forest Officer or a gazetted deputy by him. Such official may at any time between sunrise and sunset enter a register depot for such purpose.

10. No timber shall be removed from any registered depot until it has been marked with the registered sale-hammer of the owner of the registered depot

11. Sale-hammer marks shall be surrendered to the Divisional Forest Officer on the cancellation of any registration or on the decease of the owner of the mark in whose name it has been registered.
12. No timber shall be removed from any registered depot unless accompanied by a form of receipt approved by the Conservator of Forests.
13. Whoever infringes any of these rules shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both. Double penalties may be inflicted where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority or if the offender has been previously convicted of any offence under these rules.

Rules describing the tracts to which the Punjab Forest (Sale of Timber) Act shall apply, under section 1 of that Act.

Notification No.17415 –forests, dated the 14th June, 1923.

Amended by Notification No.14697 Forests, dated 11th May, 1927

The Punjab Forest(Sale of Timber) Act, 1913 , shall apply to the tracts the limits of which are described below, and shall come into force in the said tracts with effect from the date of this notification.

1. The tract lying on each side of the Jhelum river within a 10 mile limit from the bank of the river at highest flood level except such portion as falls within the Native State territory, from the point at which the river enters British territory to its junction with the Chenab river at Trimmu.
2. The tract lying on each side of the Chenab river within a 10-mile limit from the bank of the river at highest flood level from the point at which the river enters British territory to its junction with the Jhelum river at Trimmu.
3. The tract lying on north side of the Ravi river within a 10-mile limit from the bank of the river at highest flood level except such portion as falls within the Native state territory from the point at which the river enters British territory to the north boundary of the Lahore District.

CHAPTER VII

FOREST RULES OF GENERAL APPLICATION TO ALL DIVISIONS

Rules for the unclassified forests or wastelands belonging to Government under section 50 and 50-B of the Punjab Law Act, IV of 1872.

Notification No.186 dated the 11th August,1900

Amended by (No.412, dated 30th August, 1901
(No.639 dated the 20th June, 1903
(No.292-D(F) dated 19th February,1896;

1. (1) This rule, Rule 2 to 9 (both inclusive) and Rule 17 apply on the first instance to all waste lands which are the property of the Government in the local area mentioned in the Schedule except:-
 - a) Protected and reserved forests
 - b) lands under the control of the Military, Canal or Railway authorities;
 - c) lands under the control of District Boards and Municipal Committee
 - d) Encamping grounds;
 - e) Government lands to which nay special frules having the force of law under any Act, for the time being in force in the Punjab , apply ;
 - f) Lands included within the area of any cultivating lease, or which have been allotted under the Government Tenants(Punjab) Act 1893.

But the said rules may be extended to lands of classes9c) and (d) by special order of the Punjab Government published in the official Gazette.

(2). Rules 10 to 16 (both inclusive) apply in the first instance to the Multan , Montgomery, Jhelum and Jhang Districts only but may be extended to any other local area by special order of the Punjab Government published in the official Gazette.

2. in these rules—
 - a) “ Cattle” includes besides horned cattle, camels horse assess, mules sheep, goats and the young of such animals.
 - b) “Collector” means the Collector of the district and any person on whom the powers of a Collector have been conferred under Section 27 of the Punjab Land revenue Act, XVII of 1887.
 - c) “Forest Officer” means any officer of the Forest Department in charge of a Forest Range, and includes any person appointed by the collector or by the Conservator of Forests, Punjab to discharge all or any of the functions given by these rules to the Forest Officer.
 - d) “Farmer” means a peson to whom the right to collect fees for the

pasturing of cattle or to cut wood or grass or to remove fuel or any other natural product of any land to which these rules apply, has been leased by the Collector.

e) "Graze" includes "browse".

3. Save as hereinafter provided in Rule 10, no person shall pasture cattle, cut wood or Sajji plants or grass, or gather fuel or any other natural product in the above-mentioned lands, except—

i) under the authority of and in accordance with the conditions of a licence granted by the Collector or Forest Officer or

ii) with the permission of a farmer and in accordance with the conditions of such farmer's lease.

4. every licence granted under Rule 3, clause (i), shall be in writing and signed by the Collector or Forest Officer, and shall state—

a) the nature, extent and duration of the rights thereby conferred;
b) the consideration paid or to be paid by the licence holder; and
c) the special conditions, if any on which the licence is granted.

5. (1) every lease granted to a farmer shall be in writing signed by the Collector or Forest Officer and the farmer, and shall state.

a) the nature, extent and duration, which shall in no case exceed five years, of the right thereby conferred;

b) the consideration paid or to be paid by the farmer; and

c) the special conditions, if any on which the lease is granted

(2) every such lease shall include—

a) in case where the consideration—money is payable by instalments a statement as to the amount of the said instalments and the date on which they will fall due;

b) in case where the lease relates to the right of grazing—

(1) a specification of the maximum grazing dues which the farmer may lease; and

(2) a clause providing that the farmer shall not without the written permission of the Collector, transfer the lease or close any portion of the leased area to grazing by any cattle in respect of which grazing dues are tendered under Rule 6; and

d) in all cases a clause providing that, if the leased area or any part thereof is at any time required by the Government for public purpose, the lease shall be terminable on payment to the farmer of

reasonable compensation to be assessed by the Collector.

6, (1) The owners of cvattle grazing on any lands to lwhich these rules apply shall pay to the Colletro or Forest Officer or to the farmer, as the case may be fees according to a scale fixed from time to time by the Financial Commissioner for each district. Provided that no fee shall be charged for any sheep or goat less than six months old, or for any other animal less than one year old.

(2) The fees to be charged for licenses to lcut wood, sajji plants or grass, or to gather fuel or any other natural product in any lands to which these rules apply, shall be fixed from time to time by Commissiioner of the Division and shall be paid by the licence-holder to the Collector or Forst Oficer or such other person as may be authorised by the Collector in this behalf or to the farmer, as the case may be .

7. the Punjab Government may in respect of any local area exempt from all or any of the provisions of these rules any person or class of persons and any cattle or description of cattle,

8. Every licence-holder and every farmer shall be bound by the conditions stated in the licence or lease, as the case may be granted to him and every person acting under Rule 3, clause(ii) shall be bound by the conditions of the lease granted to the farmers.

9. (1) In case of any breach of the provisions of Rule8, the Collector or Forest Officer may, at his discretion, cancel the licence or lease, and thereupon the license-holder or farmer and every person acting under the farmer Rule 3 , clause (ii) , shall forfeit all claims to any produce or wood which at the time of the cancellation of the licence or lease has not been removed from theland to which the licence or lease applies.

(2)On the cancellation of a licence or lease under sub-section (1) ,the licence-holder or farmer shall not be liable for tany fees outstanding on the produce or wood so forfeited; but he shall have no claim to refund of dues already paid, and he shall not be thereby discharged from his liability for the payment of other dues in arrears of of instalments overdue under the terms of his licence or lease at the date of the forfeiture.

10. (1) The Collector may,with the previous sanction of the Financial Commissioner, make an agreement on behalf of Government with the whole commuminty of cattle-owners residing in any estate to pay such an annual assessment, by way of commutation for grazing dues, as may be agreed upon between the Collector and such community.

(2) Such assessment shall not , without the sanction of the Punjab Government ,be made for a period exceeding five years; and when such an

assessment has been concluded and recorded in such manner as the Financial Commissioner shall direct, no person comprised in such community of cattle owners shall be liable to separate assessment in respect of any cattle belonging to him and grazing during the period mentioned in such agreement on lands to which these rules apply within the limits of the tract regarding which the agreement is made.

3) Similar agreements may, under the orders of the Financial Commissioner, be entered into between the Collector on behalf of the Government and associations of cattle-owners in respect of cattle owned jointly or severally by the members of such associations.

4) For the purposes of this rule, the consent of persons owning two-thirds of the cattle belonging to a community or association as aforesaid shall be deemed to be the consent of all the cattle-owners of such community or association.

11, If the cattle-owners of any community or association, which has accepted an assessment made under Rule 10, prove to the satisfaction of the Collector that the owner of any cattle, left that community or association, and resides permanently with his cattle in another community or with another association in the same district which has accepted a similar assessment, the Collector may reduce the assessment payable by the former community or association and enhance the assessment payable by the latter community or association proportionately to the number and description of cattle removed from the one and added to the other.

12. The Collector may require the headman of any community or association of cattle owners with which an agreement is in force under Rule 10 to furnish him with a nominal roll of the cattle owner belonging to such community or association showing the number and description of the cattle owned by each.
13. Dispute arising among the cattle owners of any community or association which has accepted an assessment made under Rule 10, regarding the incidence as among themselves of the assessment, shall be decided by the Collector, whose order shall be final.
14. (1) All sum due under an assessment made under Rule 10 shall be payable at such times and places and to such persons as the Financial Commissioner shall direct.

(2) The amount assessed under Rule 10 shall be collected by lambardars of estates or headmen of associations of cattle owners, or by such other persons as the Collector may appoint, and such lambardars, headman or other persons shall levy grazing due from the cattle owners in accordance with the rate which shall be fixed by the

Collector so as not to exceed in the aggregate the total assessment and to apportion the incidence thereof among the cattle owners as nearly as may in proportion to the number and kind of cattle owned by each.

(3) If the amount of the grazing due leviable under this rule from a cattle owner belonging to any community or association which has accepted an assessment under Rule 10 is not paid by such cattle owner or by some other person on his account when duely demanded, the Collector may entirely rescind the agreement made under Rule 10 in respect of such community or association.

15. The persons authorized under Rule 14 to collect the assessment shall be entitled to a drawback not exceeding 5 percent. On all sums paid by them into the Government Treasury on account of such assessment.
16. Three percent of the net collections, after deducting sum payable under Rule 15 shall be credited to the District Patwari Fund and shall be expended, under the order of the Financial Commissioner, in remunerating the establishment maintained, and in paying the contingent charges incurred, in connection with the assessment and collection of grazing duties,
17. Any person acting in contravention of any these rules shall be liable, on a first conviction, to simple imprisonment for a term which may extend to one month, or to fine not exceeding RS. 100 or to both; and pm a subsequent conviction under this rule within three years of the first, to imprisonment for a term which may extend to six months, or to fine not exceeding Rs. 300, or to both.

SCHEDULE

Local areas to which Rules 1 to 8 and Rule 17 apply----

Lahore District
Sheikhpura District
Sialkot District
Gujranwala District
Gujrat District
Shahpur District
Jhelum District
Rawalpindi District
Attock District
Mianwali District
Montgomery District
Lylallpur District

Jhang District
Multan District
Dehra Ghazi Khan District
Muzaffargarh District

Rules regulating the firing of land near Reserved Forests under section 26 (b) of Act XVI of 1927

Notification No. 437 dated the 3rd October 1994

1. No person shall set fire to any forest or grass land within one mile of a Reserved Forest without giving notice to the Divisional Forest Officer or such other office of Forest Department as may be authorized by the Divisional Forest Officer to permit such firing and obtaining the permission, in writing of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.
2. Any person desirous of burning on land within 100 yards of a Reserved Forest, cut wood, grass, weeds or other cut material, shall collect such cut material into heaps and fire them in such a way as not to endanger the Reserved Forests.

CHAPTER VIII

FOREST RULES OF RAWALPINDI DIVISION

Rules of the Reserved Forests of Muree and Kahuta Tahsils

A-Rule limiting closure to Grazing under section 15(c) of Act XVI of 1927

Notification no. 283, dated the 26th September, 1916

In suspension No. 432, dated 27th October 1886
 No. 257, dated the 9th May, 1888

All the Reserved Forest notified in Punjab Government Notification No. 431, dated the 27th October, 1886, shall be opened to free grazing of kine, mules, horses and donkeys, except such forests as the Divisional Forest Officer may consider necessary to close for purpose of regeneration provided that the area of forests closed at any one time shall not exceed one quarter of the total area of the Reserved Forest).

B- Rule regulating grazing in Reserved Forest Notified in Notification No. 431, Dated the 27th October 1886

Notification No. 198, dated the 24th April 1889

1. No persons shall be liable to punishment on account of his cattle straying into any forest the boundaries of which are within 150 local landams (275 yards) of his holding, nor shall any such strayed cattle be impounded unless the portion of the forest adjacent to his holding shall have been properly fenced for the purpose of keeping out cattle; and no owner of cattle; or person in charge of cattle, who has a right of way through a forest, or into a forest for the purpose of watering such cattle, or any similar purpose shall be punished on account of the straying such cattle from such a road or path or water supply, or water supply has been properly fenced for the purpose of keeping out such cattle.
2. No camels, sheep or goats shall be permitted to graze in any Reserved Forest except as provided in the Abstract Statement of Right published in Notification No. 390 dated 11th August 1888.

Rules for Protected Forests in the Muree and Kahuta Tahsils

A- Rules under Section 30 (a) and (c) of Act XVI of 1927

Notification No. 64, dated the 17th February 1887

1. The following trees shall be reserved.

Deodar	Kangar
Biar	Drawa
Paludar	Sum
Chir	Brangi
Akhrot	Kalakat (wild cherry)
Tali	Rhin
Shamshad	Kain
Imlī	Phulai
Jhand	Khair
Siris and bamboos	Kao
Tun	

2. The quarrying of stone the burning of lime and charcoal, the collection of subjection to any manufacturing process or removal of any forest produce, and the breaking up or clearing any land or cultivation for building, for herding cattle, or for any other purpose, shall be prohibited.

B-Rules under Section 32 f Act XVI of 1927

Notification No. 551, dated 30 September 1910

Amended by Notification No. 397-Ft., dated 21st February 1945

In supersession No. 65, dated the 17th February, 1887

Cutting and removal of trees and timber collection and removal of forest produce.

The following trees only shall be lopped for fodder of cattle owned by right holders:-

Rhin (*Quercus incana*)

Barungi (*Quercus dilatata*)

Baren (*Quercus annulata*)

Dhaman (*Grewia oppositifolia*)

Such loppings shall in no case be taken higher than two thirds of the total height of the tree lopped. But no tree shall be lopped which is less than 16 feet high.

2. Grass may be cut, stacked or removed at anytime during the year for the personal use of the right holder.

3. Fallen dry wood and brushwood may be cut and removed by right holders at any time for their own personal use and not for sale or barter; but no "reserved" trees, however young, may be cut except as provided in Rules 4 and 5.
4. standing trees and wood of any kind except deodar, Pinus excelsa (biar) and Pinus longifolia (Chir) may be taken by any right holders, as required for his own agricultural implement, free of charge. No license need be applied for, but information must be igve to the village headman before or within 24 hours of felling a tree. The headman shall within 24 hours of receiving the information report to the nearest Forest Officer.

Should the Divisional Forest Officer consider that in any forest any species is being felled in such a manner as to endanger either the continuous exercise of the right or the continued existence of any species in any part of the forest, he may, with sanction of the Deputy Commissioner, restrict the number of trees of that species to be felled in the forest in question and district licenses shall be obtained for felling any trees belonging to it.

Chir trees may be taken free of charge for agriculture implements under the licenses provided for in Rules 6 to 10 inclusive.

5. Standing trees and wood of any kind, except deodar and pinus excelsa (Biar) may be taken by all persons free of charge and without license, for graves and for the cremation of dead bodies, save that in areas, to be defined by the Divisional Forest Officer with the previous approval of the Conservator where the unrestricted exercise of this right has led to the forest being unable to meet the legitimate claims of local right holders only. The lambardar must conduct each felling necessitated by a death, and within 24 hours of such felling point out each stump of a tree so cut to the nearest Forest Officer.

Granting of licenses to adjacent inhabitants for their own use and the production and return of licenses.

6. Otherwise than as provided in Rules 4 and 5 no trees shall be cut except on a license granted by the Forest ranger, Divisional Forest Officer or Deputy Commissioner. And a license to cut trees shall not authorize the cutting of any trees not already marked for this purpose.
7. A sufficient number of trees for the probable requirements of right-holders shall be marked by the Forest Rangers for felling every year, in the Kahuta tahsil in December and January and in the Murree tahsil in March, April and May.
8. Applications for licenses to lcut timber shall ordinarily be made to the Forest Ranger during the same months; but in case of urgensdyc may be made at any other time.

9. In all cases in which the Forest Ranger refuses to grant a license to the applicant a further application may be made to the Divisional Forest Officer or to the Deputy commissioner.
10. In granting licenses to the right-holders, the Deputy Commissioner and Forest Officers shall have regard to the following considerations:-
- i) Licenses shall be limited to the actual requirements of the right holder for his own agricultural instruments , dwelling house and cattle sheds, the house and shed being reckoned according to the those now ordinarily in use among the right holders. The license shall not ordinarily give leave to fell more than 3 chir trees(or where chir trees are not available , biar trees) with a proportionate quantity of small timber, nor be granted to any one right-holder except in the case of trees required for agricultural implements , oftener than once in five years.
 - ii) Licenses shall ordinarily be granted to a right-holder in the forest in which he has rights.
 - iii) Except in the case of chir trees required for agricultural implements applications for license to cut a larger number of trees or for the grant of trees at shorter intervals than five years, or in a forest other than that in which the applicant has rights, shall be referred to the Divisional Forest Officer, who will pass such orders on each case as will suffice to met the reasonable requirements and convenience of the applicant as defined in the first sentence of clause 1 of this rule.
11. Trees granted by the Forest Ranger during his annual tour in March, April or May must be cut and removed—

In Murree before the end of July

Next after the granting of the trees

In Kahuta before the end of April

Trees granted on special application at other times shall be cut and removed within three months of the grant if the trees have been already marked or otherwise within three months of the making of the trees.

In case the trees granted have not been cut and removed within the period fixed by the license as above, the license shall lapse unless renewed by the Forest Ranger.

12. All linceses granting permission to applicants to cut trees must be returned to the village lambardar within one month of the expiry of the period within which they were ordered to be cut and removed and the lambardar shall deliver them to the Ranger on demand.

Granting of licenses to fell and remove timber and forest produce for trade.

13. The granting of licenses, to fell and remove trees, timber and other forest produce for trade, the production and return of such licenses, the payments to be made in respect thereof, the place where such payment shall be made and the examination of produce covered by such licenses before it leaves the forest, shall be at the discretion of the Divisional Forest Officer acting under the control of the Deputy Commissioner. Such licenses shall not be so granted as to interfere with the due supply of the right-holders.
14. The Divisional Forest Officer shall not issued licenses to remove dry standing trees in any one brushwood and hardwood forest more than once in five years and shall then leave sufficient dry standing trees to provide for the requirement of right holders in dry fallen wood during the ensuing five years.

Payments for produce cut and removed for personal use.

15. For every license to cut trees granted to a right holder under Rule 10 there shall be payable before it is made over to the applicant a fee of one rupee. A similar fee shall be payable on renewal under Rule 11. no fees shall be charged for licenses granted to a right holder for chir trees required for agricultural implements.

Clearings for cultivation or other purposes.

16. Right holders in any demarcated Protected Forest shall only allowed to break up and cultivate forest land, within such forest after the Commissioner of the division shall have notified that permission to break up land within such forest land for such purposes shall be permitted only subject to the following rules.
17. Any person owning land in a village adjacent to a Protected Forest in which he has rights may apply to the Divisional Forest Officer for permission to cultivate land in the forest. The application shall be accompanied by a copy of the application's parcha of ownership, and shall contain the following particulars:-
 - (1) The name, parentage and residence of the petitioner.
 - (2) The land owned by the petitioner.
 - (3) The revenue paid by him.
 - (4) The extent of the uncultivated waste of the village or

villages in which he is a share and in respect of which he holds rights in the forest in question.

(5) His reasons for desiring to break up land within the forest in question.

(6) The date and amount of any prior grant to him of the same nature in the same or other demarcated Protected Forest.

18. The Divisional Forest Officer may at once reject the application or may cause the land to be demarcated and measured by the village patwari, and after such enquiry as may be necessary may authorize the cultivation.

19. An appeal from an order of the Divisional Forest Officer refusing permission to clear land for cultivation shall lie to the Deputy Commissioner, whose order shall be final.

Pasturing of cattle

20. No camels, sheep or goats shall be pastured in Protected Forests; other animals bona fide the property of right holders may be pastured in the forests over which their owners have rights.

Hunting and shooting

21. The shooting of birds is prohibited from 16th March to 15th September (Chetar to Bhadun, inclusive).

No call birds, nets or snares shall be used.

Exercise of rights.

22. there are no restrictions on passage through and on access to water in the Protected Forests.

Rules of Guzara land, or forest and waste lands of the Murree and Kahuta Tahsils, other than Reserved and Protected Forests under section 76 (c) of Act XVI of 1927.

A.- MURREE TAHSIL AND PAHAR AND KAHRU ASSESSMENT CIRCLES OF THE KAHUTA TAHSIL

Notification No. 618, dated the 15th November, 1912.

Amended by No. 246, dated the 15th May, 1914.
No. 10158, dated the 30th March 1926
No. 1984-Ft, dated 21st January, 1941.

In supersession of Notification No. 171, dated the 19th March, 1909.

1. These rules extend to all forest lands and waste lands (other than areas which are or may at any time hereafter be constituted Reserved Forests under Chapter II, or Protected Forests under Chapter IV of the Forest Act, 1927, or areas at any time, included within the limits of any municipality or cantonment) situate within the limits of the Murree tahsil and the Pahar and Kahru assessment circles of the Kahuta tahsil of the district of Rawalpindi, and to all other land whatsoever occupied or let for agricultural purpose or for purposes subservient to agriculture, or for pasture, situate within the same limits.
2. in these rules, unless a different intention appears from the subject or context:-
 - (a) the expression "tree" includes palms, bamboos, stumps, brushwood and canes, but does not include "drek", Ber or any fruit tree.
 - (b) The expression "estate" shall have the meaning assigned within section 3 of the Punjab Land Revenue Act, 1887; and
 - (c) The expression "Deputy Commissioner" means the Deputy Commissioner for the time being the district of Rawalpindi, and includes any officer at any time appointed by him to discharge all or any of the functions by these rules assigned to the Deputy Commissioner.
3. Except as provided in Rule 8 (5) below trees are divided into two classes, called subsequently A and B, Class A includes all trees of the following descriptions:-

Deodar.	Tun.
Biar	Barungi
Paludar	Barin
Chir	Khair
Tali	
- Class B includes trees of all other kinds.
4. No person shall, otherwise than as provided in Rules 5, 6 and 8 following, at any time for any purpose whatsoever:-

- (1) fell, girdle, lop. Tap or burn any tree;
- (2) stripe off the bark or leaves from or otherwise damage or destroy any tree;
- (3) fell any tree or drag any timber as to damage or destroy any tree;
- (4) permit any cattle to damage any tree;
- (5) burn lime or charcoal or bricks or surkhi or break up land for extending cultivation, which is likely to cause injury to trees or timber, or to affect adversely the natural reproduction of trees;

within or shall remove, or cause or permit any other person to remove, or shall in any manner abet the removal by any person of, any tree or timber from any forest land, waste land or any other land to which these rules extend.

4-A. No person shall clear or break up for cultivation or any other purpose, any land in areas reserved as Charagaha (Forest and pasture land) under the orders of the Provincial Government in any Estate, to which these rules apply.

4-B. No person or persons in any estate to which these rules apply shall partition jointly owned land (Shamilat Deh) without the sanction of the Provincial Government.

5. Any resident in the estate in which the tree is situated may fell, and remove or fell or remove for agricultural domestic purposes, any tree of class B without permission or license, provided that any timber thus obtained shall only be used for the ordinary domestic or agricultural purposes mentioned above within such estate and not for sale or any other purpose.
6. (1) If such resident at any time desires within the limits of any land to which these rules extend, to fell or remove, or both to fell and remove, any tree or timber of Class B (other than as provided in the clause next following) for use by him for any domestic or agricultural purpose within the estate within the limits of which such land is situated, or to break up land for extending cultivation which is likely to cause injury to trees or timber, or to affect adversely the natural reproduction of tree, he shall apply to the Deputy Commissioner (in the manner from time to time prescribed by the Deputy Commissioner in that behalf) for the grant of a permit under Rule 8, and shall abstain from proceeding to fell or remove any such tree or timber or to break up land for cultivation, as the case may be, until he shall have received such permit, and if any such permits be granted, shall act in strict accordance with, and subject to, the term and conditions thereof, and not otherwise.

(2) The following acts on land to which Rule 4 is applicable are exempt

form the provisions of Rule 4 and clause (1) of this rule:-

- (a) The felling or removal, or both the felling and removal, of any dry tree (other than a standing chair or biar tree) or any dry timber, required, for ordinary domestic or agricultural purposes, or for the cremation of the dead, or for the manufacture of agricultural implements.
- (b) The cutting and removal of grass and fruits of all kind and species.
- (c) The removal of fallen pine needles and empty pince cones.
- (d) The lopping of any tree, whose shade is detrimental to the growth of field crops growing under adjacent to such tree, of its side branches, upto one half of the height of the tree above ground:-

Provided that any timber or firewood obtained by any of the foregoing acts shall only be used for ordinary domestic or agricultural purposes and not for sale or any other purpose.

- (e) The lopping of leaves for fodder for cattle from such trees and at such seasons as may be prescribed by the Deputy Commissioner from time to time in that behalf.
7. The Deputy Commissioner shall cause lists to be prepared in every village or abadi to which these rules apply, in which will be entered in a printed form supplied for that purpose the name of persons desiring permits under clause (1) of Rule 6 for the purposes therein specified.
8. (1) The Deputy Commissioner may from time to time, as occasions may require, grants permits, under clause (1) of Rule 6, for the purposes therein respectively specified to any persons whom he may consider entitle thereot.
- (2) applications for permits to break up land for extension of lcultivation will be granted readily where the tres standing on it are nto lnumerous and ground is sufficiently level to give hopes of good crops being raised.
- (3) The Deputy Commissioner may from time to time prescribed the fees to be paid and the conditions to be observed by persons to whom permits masy at any time be granted under this rule for purposes of sale; Provided that no permit for purposes of sale shall be granted without the special jpermission, kpreviously obtained, of the Commissioner.
- (4) Every permit at any time granted under this rule shall be in writing on a printed form, and shal contain the follwing particulars, namely:-

- a) if the permit is for purposes of sale, the fees or payments

- to be made in respect of such permit and the time when and the manner in which such payment is to be made;
- b) the description and quantity of trees or timber granted and the purposes for which they are granted;
 - c) the conditions subject to which the permit is granted;
 - d) the period for which such permit is to remain in force;
 - e) the date on which such permit is grant;
 - f) the signature and official designation of the officer by whom such permit is granted.

(5) The Deputy Commissioner May by general or special order add to the list of trees under class A in Rule 3 above or remove trees from that list as regards the whole tract to which these rules apply or as regards individual villages.

(6) It shall be in the absolute discretion of the Deputy Commissioner to grant or (without assigning any reason) refuse any permit at any time applied for.

(9). Every such permit for the felling or removal of a tree shall be subject to the following two conditions :-- (1) that every such tree shall be felled and converted into beams, scantlings, planks or other description of timber within three months of date of hammer-marking as in the next rule following provided, unless specially exempted from this rule by order of the Deputy Commissioner in writhing, and (2) that any beams, scantlings, planks, or other description of timber sold by the permit-holder Rule 8 (3), or used by him for any other purpose than that intended for or not used for the purpose for which allowed, within the time prescribed, shall be deemed Government property and may be dealt with in such manner as the Deputy Commissioner may direct.

9. The Deputy Commissioner shall once or twice annually, according to the accessibility of the village or abadi and the nature of its requirements, depute an officer or officers to be appointed by him with the Commissioner's concurrence, who shall visit every village or abadi to which these rules apply, and shall proceed to scrutinize the lists prepared in accordance with Rule 7 and hammer-mark the trees to be felled after grant of permits in which shall be entered the date of branding and the quantity, and description of the timber branded under signature of the officer granting the permit according to the legitimate wants of applicants, and having regard to these rules. Where the officer belongs to the Civil Department he shall be accompanied at the time of the above visit, by a Forest Officer, to be deputed by the forest Department. The trees having been hammer-marked, it will be the duty of the officer to re-visit the said village or abadi and he shall then mark the scantlings into which the felled

trees have been sawn up. On the occasion of such second visit the officer shall collect the permits and shall report for orders of the Deputy Commissioner any case in which the conditions of the permits have been infringed.

11. The trees which shall be hammer-marked under Rule 10 shall include trees of class A and no person shall be granted from lands to which these rules apply more than three bhar trees within a period of three years. Provided that for the erection of a new house the Deputy Commissioner may, if satisfied that the tree was available and that the site of the proposed house is reasonable and that for its erection three trees of six feet girth are insufficient, grant from land to which these rules apply up to a further maximum of three chir trees or three bhar trees each of six feet girth or a larger number of trees of lesser girth estimated to give volume of timber equal to 30 trees of 6 feet girth. The trees thus granted shall be considered as an advance and shall within, or shall be fully recovered by deduction from the three trees allowed under the first part of this rule during the next two periods of three years.

11-A.- Improvement felling may be carried out under the directions of the officer in charge of the division. The right holders should be consulted before improvement felling are undertaken, and in the event of their objecting to improvement fellings being undertaken, the orders of the Deputy Commissioner should be taken.

12. No person shall, within the limits of any forest land, waste land or other land to which these rules apply, at any time:-

- (a) set fire, or cause or permit any other person to set fire, to any trees or timber belonging to Government, or
- (b) negligently permit any fire to spread or extend, or
- © set fire or cause or permit any other person to set fire to any forest produce or grass, the combustion of which is likely to cause injury to such trees or timber without giving notice of his desire so to do the Deputy Commissioner or the District Forest Officer or Tahsil-dar and obtaining the permission in writing of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.

13. Every general order or direction which the Deputy Commissioner proposes to give as to the officers to whom, and the manner in which, applications for permits under clause (1) of Rule 6 shall be made, and the time of year at which they shall be made, and the conditions and payments, respectively, subject to which permits may be granted under Rule 8 and any alterations in

class A which he may propose under clause (5) of Rule 8 shall be submitted to the Commissioner of the Rawalpindi Division for his approval, and no such order or direction shall take effect until it has been approved by that officer.

B. KANDHI AND POTHWAR ASSESSMENT CIRCLES OF THE KAHUTA TAHSIL

Notification No. 619, dated the 15th November, 1912;
Amended by (No. 245, dated the 11th May, 1914.
(No. 10159, dated the 30th March, 1926.

In supersession of Notification No. 302, dated the 12th May, 1909

1. These rules extend to all forest lands and waste lands (other than areas which are, or may at any time hereafter to constituted Reserved Forest under Chapter II or Protected Forest under Chapter IV of the Forest Act, 1927, or areas at any time included within the limits of any municipality or cantonment) situate within the limits of the Kandhi and Pothwar assessment other lands whatsoever occupied or let for agricultural purposes or for purposes subservient to agriculture, or fore pasture, situate within the same limits.
2. In these rules:
 - (a) the expressions "trees" means chir tree and "timber" means chir timber;
 - (b) the expression "estate" shall have the meaning assigned to it in section 3 of the Punjab Land Revenue Act, 1887; and
 - (c) the expression "Deputy Commissioner" means the Deputy Commissioner for the time being of the district of Rawalpindi, and includes any officer at any time appointed by him to discharge all or any of the functions by these rules assigned to the Deputy Commissioner.
3. No person shall, otherwise than as provided in Rules 4 and 6 following, at any time for any purpose whatsoever:-
 - (1) fell, girdle, lop, tap or burn any tree;
 - (2) strip off the bark or leaves from or otherwise damage or destroy any tree;
 - (3) fell any tree or drag any timber so as to damage destroy any tree;

(4) permit any cattle to damage any tree;

(5) break up land for extending cultivation, in a manner calculated to cause injury to trees;

(6) cause or permit any other person to commit, or otherwise abet any person in the commission, of any act hereinbefore specified;

with in or shall remove, or cause or permit any other person to remove or shall in any manner abet the removal by any person of any tree or timber, from any forest land, wasteland or any other land to which these rules extend.

3. (1) If any resident in the estate in which the tree is situated at any time desires within the limits of any land to which these rules extend to fell or remove, or both to fell and remove, any tree or timber (other than as provided in the clause next following) for use by him for any domestic or agricultural purposes within the estate within the limits of which such land is situated to injure trees or timber, he shall apply to the Deputy Commissioner (in the manner from time to time prescribed by the Deputy Commissioner in that behalf) for the grant of a permit under Rule 6, and shall abstain from proceeding to fell or remove any such tree or timber, or to break up land for cultivation, as the case may be, until he shall have received such permit, and if any such permit be granted, shall act in strict accordance with, and subject to terms and conditions thereof, and not otherwise.

(2) The following acts on lands to which Rule 3 is applicable are exempt from the provisions of Rule 3 and clause (1) of this rule:-

(a) The removal of fallen pine needles and empty pine cones.

(b) The lopping of the side branches of any tree, whose shade is detrimental to the growth of field crops growing under or adjacent to such tree, up to one half of the height of the tree above ground;

Provided that any timber or firewood, obtained from the foregoing act, shall only be used for ordinary domestic or agricultural purposes, and not for sale or any other purpose.

5. The Deputy Commissioner shall cause lists to be prepared in every village or abadi to which these rules apply, in which will be entered in a printed form, supplied for that purposes, the name of persons desiring permits under clause (1) of Rule 4 for the purposes therein specified.

6. (1) The Deputy Commissionier may from time to time as occasion may

require grant permits, under clause (1) of Rule 4 for purposes therein respectively specified, to any person whom he may considered entitled hereto.

(2) The Deputy Commissioner may from time to time prescribe fees to be paid and the conditions to be observed by persons whom permits may at any time to granted under this rule of purposes of sale: Provided that no permit for purpose of sale shall be granted without the special permission, previously obtained, of the Commissioner.

(3) Every permit at any time granted under this rule shall be in writing on a printed from, and shall contain the following particulars, namely:-

(a) if the permit is for purposes of sale, the fees or payment, to be made in respect of such permit, and the time when and the manner in which such payment is to be made;

(b) the description and quantity of trees or timber granted, and the purpose for which they are granted;

(c) the conditions subject to which the permit is granted;

(d) the period for which such permit is to remain in force;

(e) the date on which such permit is granted;

(f) the signature and official designation of the officer by whom such permit is granted.

(4) It shall be in the absolute discretion of the Deputy Commissioner to grant (or without assigning any reason) refuse any permit at any time applied for.

7. Every such permit for the felling or removal of a tree shall be subject to the following two conditions:-

1)that every such tree shall be felled and converted into beams, scantling, planks or other description of timber within three months of date of hammer-making as in the next rule following provided, unless specially exempted from this rule by order of Deputy Commissioner in writing, and

2) that any beams , scantlings, plants other description of timber sold by the permit-holder , except under the in accordance with a permit granted under Rule 6(3) or used by him for any other purpose than that in tended for of not used for the purpose than that allowed, within the time prescribed, shall be deemed Government prloerty and may be dealt with in such a manner as the Deputy Commissioner may direct.

8) The Deputy Commissioner shall once or twice annually, according to the accessibility of the village or abadi and the nature of its requirements, depute an officer or officers to be appointed by him with the Commissioner's concurrence, who shall visit every village or abadi to which these rules apply and shall proceed to scrutinize the lists prepared in accordance with Rule 5 and hammer-mark the trees to be felled after grants of permits, in which shall be entered the date of branding and the quantity and description of the timber branded under signature of the officer granting the permit according to the legitimate wants of the applicants, and having regard to these rules, Where the officer belongs to the Civil Department he shall be accompanied, at the time of the above visit, by a Forest Officer, to be deputed by the Forest Department. The trees having been hammer-marked it will be the duty of the officer to re-visit the said village or abadi and he shall then mark the scantlings into which the felled trees have been sawn up. On the occasion of such second visit the officer shall collect the permits and shall report for orders of the Deputy Commissioner any case in which the conditions of the permit have been infringed.

9) No person shall be granted from lands to which these rules apply more than three trees within a period of three years: Provided that for the erection of a new house the Deputy Commissioner may if satisfied that the trees are available and that the size of the proposed house is reasonable and that for its erection three trees of six feet girth are insufficient, grant from lands to which these rules apply up to a further maximum of three chir trees or three bir trees each of six feet girth or a larger number than three trees of six feet girth. The trees thus granted shall be considered as an advance and shall be fully recovered by deduction from the three trees allowed under the first part of this rule during the next two periods of three years.

9-A . Improvement fellings may be carried out under the directions of the officer in charge of the division. Then right holders should be consulted before improvement fellings are undertaken and in the event of their objecting to improvement felling being undertaken, the orders of the Deputy Commissioner should be taken.

10. No person shall, within the limits of any forest land, waste land or other land to which these rules apply, at any time;-

- a) set fire, or cause or permit any other person to set fire to any trees or timber belonging to Government or
- b) negligently permit any fire to spread or extend or
- c) set fire or cause or permit any other person to set fire to any forest produce or grass the combustion of which is likely to cause injury to such trees or timber, which is likely to cause injury to such trees or timber, without giving notice of his desire so to do to the Deputy Commissioner or the District Forest Officer or Tahsildar and obtaining the

permission in writing of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.

11. every general order or direction which the Deputy commissioner proposes to give as to the officers to whom, and the manner in which applications for permits under clause (l) of Rule 4 shall be made and the time of year at which they shall be made, and the conditions and payments respectively, subject to which permits may be granted under Rule 6, shall be submitted to the commissioner to the Rawalpindi Division for his approval., and no such order or direction shall take effect until it has been approved by that officer.

Rules for certain waste lands in the Rawalpindi District under the “Rules for the conservancy of forests and jungles in the hill districts of the Punjab territories mentioned in the first Schedule of the Punjab Laws Act (IV of 1872)

Notification No. 343 dated the 12th June, 1909.

Amended by (Notification No.2300-Ft dated 10th September, 1940
(No.4972 Ft-dated 19th December,1940 and
(No.2016-Ft dated 2nd July, 1942 and
(No 2884-Ft dated 19th October, 1942
(No. 6642-54/23-D(F) dated 5th January,1955.

In supersession of Notification No.79 dated the 24th January,1907.

1. These rules apply to the waste and uncultivated areas within the boundaries of the villages in the Rawalpindi District.
2. In respect to the tracts to which these orders apply, the directions previously issued by the Commissioner of Rawalpindi in 1856 are cancelled.
3. Under the authority contained in the 5th of the Central Government rules, it is hereby declared that all village residents are entitled to wood for their agricultural and domestic purposes from the trees and shrubs of spontaneous growth produced by the waste lands of the villages in which they reside. Ordinarily no charge shall be made on account of this privilege; nor shall any permission be requisite prior to its exercise. But under special circumstances, for sufficient reason shown, the Deputy Commissioner may impose a fee or require a written application, for the felling of timber.
4. Under the authority contained in the 7th of the Central Government's rules, the partition or cultivation of uncultivated brushwood, or suited to such a purpose is prohibited, except in cases in which the persons desiring the partition or cultivation can show that the operation will leave sufficient

- provision for the exercise of the privileges granted by the preceding rule.
5. Under the same authority the sale or export of wood of spontaneous growth grown in village wasteland or of any substance prepared from or by the aid of such wood beyond the boundaries of the village in the waste land of which the wood has grown is prohibited except with the permission in writing of the Deputy Commissioner previously obtained. Such permission shall not be granted except in special cases, where the proposed sales or exports will not interfere with the due supply of the residents of village and its vicinity, This rule does not prohibit the preparation of surkhi and charcoal by villagers for their reasonable wants.
 6. Nothing in these orders shall be construed:-
 - 1) as conferring privilege in demarcated rakhs;
 - 2) nor so as to affect cultivated trees;
 - 3) nor so as to warrant the cutting of timber and fuel for sale by persons who are not proprietors of the land on which it is cut;
 - 4) nor so as to restrict the Deputy Commissioner or forest Officers in their management of Government rakhs.
 7. Any person who may infringe any of the above rules shall be punished for each offence with a fine which may extend to rupees one hundred and in default of payment with imprisonment which may extend to three months.

Rules for the transit of timber and other forest produce in Rawalpindi District under section 41 of Act XVI of 1927

Notification No.289 dated the 3rd June, 1907

Amended by Notification No.80-C dated 10th January,1933

In supersession of Notification No.29, dated the 7th January,1907.

1. All words used in these rules and defined in the forest Act(XVI of 1927) shall be deemed to have the meanings respectively attributed to them by the said Act.

The term “ the Forest Officer” means the Forest Officer appointed for the purpose in question by, or in accordance with notification No.290*of this date.

The term “ the Divisional Forest Officer” and “ the Deputy Commissioner” means respectively the Divisional Forest Officer and the Deputy Commissioner of the Rawalpindi District, except where another meaning is evident from the context.

The term “Murree” means the area contained within the boundaries of the municipality of Murree and the cantonments under the jurisdiction of the Cantonment Magistrate of Murree and the term “ Rawalpindi “ means the area contained within the boundaries of the municipality and the cantonment of Rawalpindi.

*printed in chapter II at Page 8.

2. All timber and charcoal being imported into Murree or Rawalpindi shall be conveyed in such a manner as to pass one of the following depots and such timber or charcoal shall be taken by those in charge of it to a depot, for examination.

The following depots have been established:-

Depots for Murree

1. The depot at the octroi chauki at the Murree Brewery.
2. The depot at the octroi chauki at Basragali.
3. The depot at the octroi chauki at Kuldana.
4. The depot at the octroi chauki at Jhikkagali.
5. The depot at the octroi chauki at Murree Bazar

Depots for Rawalpindi

1. The depot at No.9 octroi Chauki on the tonga road from Murree to Rawalpindi.
2. The depot at No.16 octroi chauki near the jail on the road from Karor to Rawalpindi.
3. The depot at No.18 octroi Chauki on the Grand Trunk road from Rewast to Rawalpindi.
4. The depot at No.23 octroi chauki at the Native Infantry Lines.
5. The depot at No.26 octroi chauki on the Grand Trunk Road from Peshawar to Rawalpindi.
6. The depot at No.4 octroi chauki on the Golra road.
7. The depot at No.7 octroi chauki on the Syadpur road.
8. The depot at the Railway Station
9. The depot at No.10 octroi chauki on the Rawalpindi Kurri road.
10. The depot at No.8 octroi chauki on the Rawalpindi Cherah road.
11. The Depot at No.22 octroi chauki on the Rawalpindi Dhamial road.

The import of timber or charcoal into Murree or Rawalpindi except past one of the those above depots is prohibited.

3. No timber or charcoal shall be conveyed past a depot between the hours of sunset and sunrise.
4. No timber or charcoal shall be imported into Murree or Rawalpindi unless covered and accompanied by a pass issued by the forest Officer, which shall be produced at the depot by the person in charge of the timber or charcoal.
5. The pass shall specify the kind and quantity of such timber or charcoal, the mark or marks it bears (if any) the owner or person in charge of it, the place in which it was cut or prepared and shall authorize import into Murree or Rawalpindi and may name the depot to which such timber or charcoal shall be taken for examination. It shall also name the period for which it is valid.

Such timber or charcoal shall be so imported only in accordance with the conditions of such pass.

The pass shall be in the form prescribed for the purpose by the Conservator of Forests, and shall include a detachable coupon.

6. The Forest Officer may refuse to issue a pass if he has reason to believe that the timber or charcoal has not been legally acquired by the applicant or has been acquired for his own ordinary domestic or agricultural purposes, and not for sale or any other purpose.
In the case of timber or charcoal obtained from the Hazara District the Forest Officer may before issuing a pass require the production of a pass given by the Divisional Forest Officer of the district and evidence that the timber or charcoal is covered by such pass.
7. Unless exempted by Rule 8 or by the special permission of the Divisional Forest Officer, no timber shall be imported into Murree or Rawalpindi, and no chil or kail timber shall be moved within the limits of the Rawalpindi district, unless it bears hammer –mark as follows:-

In the case of timber belonging to the Forest Department or to another State Department, the property mark of such Department.

In the case of timber sold by the Forest Department, the Forest Department sale mark.

In the case of other timber, the person wishing to so import it shall apply to the Divisional Forest Officer who may either cause it to be marked with a hammer-mark prescribed by the Conservator of Forests for that purpose or may exempt it from such marking.

- 8, Rule 7 does not apply to pieces of un sawn timber suited only to use as fire-wood being under 5 feet in length and also less than 3 feet in girth, but firewood is not exempted from the requirements of Rules 2 to 6.

Rule 2 to 7 do not apply to timber fashioned into articles of domestic furniture carts, carriage, agriculture, domestic or other implements or to pieces thereof.

- 9.. Any person in charge of timber or charcoal shall produce his pass for the inspection of the Forest Officer in charge of the depot.

If the Forest Officer in charge of the depot finds that such timber or charcoal is being imported in accordance with the pass he shall allow it to be imported and to proceed past the depot.

If the whole quantity named on the pass reaches the depot in one consignment only, the Forest Officer in charge of the depot shall retain the pass and cancel it, returning the attached coupon duly filled in to the person in charge.

If the whole quantity of timber or charcoal named on the pass does not reach the depot in one consignment only, the Forest Officer in charge of the depot shall on the arrival of each consignment, other than the last, not on the back of the pass the quantity imported, returning the pass to be presented again by the person in charge of the following consignments. On the arrival of the final consignment the Forest Officer in charge of the depot will retain the pass and cancel it, returning the attached coupon duly filled in to the person in charge.

Notes of quantities entered on the back of the pass and of cancellation shall be signed and dated by the Forest Officer in charge of the depot.

If the forest Officer in charge of the depot finds that the timber or charcoal is not being imported in accordance with these rules or in accordance with the pass, he shall forbid such import and may seize such timber or charcoal and shall at once report the matter to his superior officer for orders.

10. Any Forest Officer or Police Officer may stop and examine any timber or other forest produce in transit in respect of which there is reason to believe that any money is payable to Government on account of the price thereof or on account of any duty, fee, royalty or charge due thereon or to which it is desirable for the purposes of the Forest Act (XVI of 1927) to affix a mark and may compare it with the pass, if and which accompanies it. All persons engaged in the transport of any timber or the forest produce shall give facilities for such examinations and shall produce such pass, if any, when called on to do so by any such officer.
11. The Deputy Commissioner of Rawalpindi or the Divisional Forest Officer may exempt timber of any specified class or timber or charcoal from any specified place, from the operation of any of these rules, and may withdraw such exemption.
12. Any person who infringes any of these rules shall, without prejudice to any liability incurred under the provisions of section 52 to 55 (both inclusive) of the Forest Act (XVI of 1927) relating to seizure and confiscation, be liable to imprisonment of either description for a term which may extend to six months or to a fine which may extend to five hundred rupees, or to both.

The rules to regulate the transit of timber and other forest produce imported into the Rawalpindi District across the Jhelum river, published with Punjab Government notification No.99, dated 4th March, 1901 are hereby cancelled.

Rules for the transit of timber and other forest produce within the limits of the Attock District under section 41 and 42 of the Forest Act, XVI of 1927.

Notification No.14-C., dated 2nd January, 1934.
Amended by Notification No.2302 Ft. dated 6th November, 1942.

1. All words used in these rules and defined in the Forest Act , (XVI of 1927) shall be deemed to have the meanings respectively attributed to them by the said Act.

The term “ Forest Officer” means an officer of the Forest Department employed in the Attock Soil Conservation Division who may be so authorized by the Divisional Forest Officer, as well as any person authorized by name or as holding an office by the Deputy Commissioner or the Divisional Forest Officer, to do anything required to be done by the Forest Officer under these rules,

So far as it is necessary for the purpose of carrying out these duties the said persons are hereby also appointed Forest Officers for the purposes of section 44,52,56,57 and 66 of Act XVI of 1927.

The term “ Divisional Forest Officer and the Deputy Commissioner” mean respectively, the Divisional Forest Officer of the Attock Soil Conservation Division and the Deputy Commissioner of the Attock District except where another meaning is evident from the context.

The term “ Campbellpur” means the area contained within the boundaries of the municipality and the cantonment of Campbellpur and the term “Hazro” means the areas contained within the boundaries of the municipality of Hazro and the term “Fateh Jang” means the area contained within the boundaries of the small town of Fateh Jang.

2. All timber and charcoal being imported into Campbellpur, Hazro or Fatehjang shall be conveyed so as to pass one of the following depots and such timber or charcoal shall be taken by those in charge of it to a depot for examination.

The following depots have been established:-

Depots for Campbellpur

1. The depot at the municipal boundary on the Basal Chhoy-Campbellpur road.
2. The depot at the municipal boundary on the Fatehjang-Jabbi-Campbellpur road
3. The depot at the municipal boundary on the Hatti-Campbellpur road

Depots for Hazro

1. The depot at Octroi Chauki Kishanganj West
2. The depot at Octroi Chauki Kishanganj East
3. The depot at Octroi Chauki Dhaki

4. The depot at Octroi Chauki Bhangi
5. The depot at Octroi Chauki Sadar or Chauki Abdal.

Depots for Fatehjang

1. The depot at the Railway crossing on the Rawalpindi-Fatehjang metalled road.
2. The depot at the Railway crossing on the Jabbi-Fatehjang road.
3. The depot at the Ratwal-Fatehjang road as it enters the woin of Fatehjang.

The import of timber or charcoal into Campbellpur, Hazro or Fatehjang except past one of the above depots is prohibited.

3. No timber or charcoal shall be conveyed past a depot between the hours of sunset and sunrise.
4. No timber or charcoal shall be imported into Campbellpur Hazro or Fatehjang unless covered and accompanied by a pass issued by the Forest Officer, which shall be produced at the depot by the person in charge of the timber or charcoal.
5. the pass shall specify the kind and quantity of such timber or charcoal, the mark or marks it bears (if any) (in the name of the owner or person in charge of it, the place in which it was cut or prepared, and shall authorize import into Campbellpur Hazro or Fatehjang and may name the depot to which such timber or charcoal shall be taken for examination. It shall also name the period for which it is valid.

Such timber or charcoal shall be so imported only in accordance with the conditions of such pass.

The pass shall be in the form attached to these rules, and shall include a detachable coupon.

6. The Forest Officer may refuse to issue a pass if he has reason to believe that the timber or charcoal has not been legally acquired by the applicant or has been acquired for his own ordinary domestic or agricultural purposes, and not for sale of any other purpose.

In the case of timber or charcoal obtained from the North-west Frontier Province the Forest Officer may before issuing a pass require the production of a pass given by the Divisional Forest Officer of that province and evidence that the timber or charcoal is covered by such pass.

7. Unless exempted by rule 8 or by special permission of the Divisional Forest Officer, no timber shall be imported into Campbellpur, Hazro or Fatehjang unless it bears hammer-marks as follows;

In the case of timber belonging to the Forest Department or to another State Department, the property mark of such department.

In the case of timber sold by the Forest Department sale mark.

In the case of other timber, the person wishing to so import it shall apply to the Divisional Forest Officer, who may either cause it to be marked with a hammer-mark prescribed by the Conservator of Forest, Soil Conservation, Punjab for that purpose or may exempt it from such marking.

8. Rule 7 does not apply to pieces of unsawn timber suited only to use as firewood, being under 5 feet in length and also less than 3 feet in girth, but firewood is not exempted from the requirements of rules 2 to 6.
Rules 2 to 7 do not apply to timber fashioned into articles of domestic furniture, carts, carriage, agricultural, domestic or other implements or to pieces thereof.
9. Any person in charge of timber or charcoal shall produce his pass for the inspection of the Forest Officer in Charge of the depot.

If the Forest Officer in charge of the depot finds that such timber or charcoal is being imported in accordance with the pass, he shall allow it to be imported and to proceed past the depot.

If the whole quantity named on the pass reaches the depot in one consignment only, the Forest Officer in charge of the depot shall retain the pass and cancel it, returning the attached coupon duly filled into the person in charge.

If the whole quantity of timber or charcoal named on the pass does not reach the depot in one consignment only the Forest Officer in charge of the depot shall on the arrival of each consignment, other than the last, note on the back of the pass the quantity imported, returning the pass to be presented again by the person in charge of the following consignment or consignments. On the arrival of the final consignment the Forest Officer in charge of the depot will retain the pass and cancel it returning the attached coupon duly filled into the person in charge.

Notes of quantities entered on the back of the passes and of cancellation shall be signed and dated by the Forest Officer in charge of the depot.

If the Forest Officer in charge of the depot finds that the timber or charcoal is not being imported in accordance with these rules or in accordance with the pass, he shall forbid such import and may seize such timber or charcoal and shall at once report the matter to his superior officers for orders.

10, Any Forest Officer or Police Officer may stop and examine any timber or other forest produce in transit in respect of which there is reason to believe that any money is payable to Government on account of the price thereof or on account of any duty, fee, royalty or charge due thereon or to which it is desirable for the purposes of the Forest Act (XVI of 1927) to affix a mark and may compare it with the pass, if and which accompanies it. All persons engaged in the transport of any timber or the forest produce shall give facilities for such examinations and shall produce such pas , if any, when called on to do so by any such officer.

10. Any person who infringes any of these rules shall , without prejudice to any liability incurred under the provisions of section 52 to 56(both inclusive) of the Forest Act(XVI of 1927) relating to seizure and confiscation, be liable to imprisonment of either description for a term which may extend to six months or to a fine which may extend to five hundred rupees, or to both.

Not transferable, and to be returned to the office of issue within one week of the date of expiry.

Book No.

Serial No.

Pass for import of Forest produce into *.....

(1)Name and address of person to whom pass is granted.....

2) Date on which pass issued.....

3) Route by which the produce will be imported.....

4) Details of prodice covered by pass:-

a)Kind-----

b) Quantity-----

5) whence obtained-----

6) Date of expiry of permit.

Deputy Commissioner
Conservator of Forests

Name and particulars of person or persons under whose charge the produce has been sent-----

Signature or the thumb-impression of the persons to whom permit was issued.

Date-----

*Here insert the name of the place to which it is to be imported.

Notification No. 15-C, dated and January, 1954 as subsequently amended.

Under the provisions of section 2 fo the Forest Act, 1927 the Governor in Council is pleased to declare that for the purpose of the rules passed by him under section 41 and 42 of the said Act for the Attock district and published with Punjab Government Notification No.14-C., dated the 2nd January 1934 the following shall be the Forest Officer:-

Any officer of the Forest Department employed in the Attock Soil Conservation Division who may be so authorized by the Divisional Forest Officer, as well as any person authorized by name or as holding an office by the Deputy Commissioner or the Divisional Forest Officer to do any thing required to be done by the Forest Officer under these rule.

So far as is necessary for the purpose of carrying out these duties the said persons are hereby also appointed Forest Officer for the purposes of Sections 44,52,56,57 and 66 of the said Act.

CHAPTER IX

FORESDT RULES OF JEHLUM DIVISION

Rules regulation grazing in Reserved Forest in Khuishab Tahsil of Shahpur district under section 76(d) 15© Act XVI of 1927

Notification No.444 dated the 31st October , 1899.

These rules apply to the area which have been declared to be reserved Forests by notification No.670, dated 23rd December,1897:-

1. One-fourth of the area of any Reserved Forest in which grazing rights have been found to exist may in discretion of the Collector , at any time, by order in writing, be selected by the Forest Officer, subject to the approval of the Collector. In the case of the Reserved Forest known as Rakh Amb the power conferred by this rule shall be confined to such portion of the area thereof as are for the time being free of cultivation.
2. The Forest Officer may , in his discretion, at any time, close against grazing , for plantation purpose, an area not exceeding one percent of the total area of any Reserved Forest. Any area dealt with under this rule shall be in addition to, and independent of, any area dealt with under Rule 1. And he may , after due consultation with the Deputy Commissioner, close any area of any Reserved Forest against grazing for any period in the months of July, August and Septimebr.
3. when any portion of the area of a Reserved Forest has been burnt over, such portion of the area may , by order in writing of the Collector, be closed against grazing for such period, not being less than five years as the collector may specify in that behalf. Any area dealt with under this rule shall be in addition to , and independent of, any area dealt with under Rule 1 or Rule2.
4. Unless the Collector otherwise directs, when any area is closed against grazing the taking of dry and dead wood from that area , for the period of such closure, shall deem to be prohibited.
5. In the exercise of the right of taking dry and dead wood for firewood , the taking of axes or saws into a reserved Forest in forbidden.
6. The full rates to be levied, in respect of the exercise , of the right of pastorate within the limits of any Reserved Forest from persons entitled to exercise such right, shall be as follows namely:-

Class of Animal	Rate per Head per Annum		
	Rs.	A.	P.
1. Camels	6	0	0
2. Buffaloes	1	0	0
3. Goats	0	6	0
4. Plough Bullocks	0	8	0
5. Bullocks surplus to two per plough	1	0	0
6. Cows, horses and ponies	1	0	0
7. Donkeys	0	8	0
8. Sheep	0	2	0

Young unweaned animals with their mothers are exempted.

Provided that the Punjab Government may, from time to time and at any time in its discretion, by order in writing in any manner add to, amend, or vary all or any of the rates hereinbefore specified, whether by raising or lowering them or otherwise.

7. Any person who shall take any cattle into, or pasture any cattle in any Reserved Forest or any part of the area within the limits of a reserved Forest, other than such as may be set apart by the Forest Officer for the use of the cattle of the village to which such person belongs, shall be liable to pay double the rates fixed in Rule 6, in respect of all cattle so taken or pastured.
8. In the case of persons resident in such villages the residents of which are entitled to graze their horned cattle and sheep free or at half the prescribed rates in certain specified Reserved Forests, this privilege extends only to such number of such cattle, in respect of the residents of each such village, as shall not exceed the number specified opposite the name of such village in the Schedule annexed to these rules. The full prescribed rates shall be levied in respect of all cattle in excess of the number so specified in the Schedule.
9. No owner or tenant of any hut or cultivated land within the limits of a Reserved Forest, shall, within such limits, keep more cattle than are, in the opinion of the Collector, required for the proper cultivation of any adjoining Chak Khariji, and no such owner or tenant shall keep any goat when the portions of the reserved Forest which his hut or cultivated land is situated has been closed against grazing by goats.

S.No.	Survey No.	Name of villiage	Half rates or free	Number of cattle entitled to this privilege			Name of rakh to which the privilege is limited	Total area of the rakh
				Cows and bullocks	Buffaloes	Sheep		
1	2	3	4	5	6	7	8	9
1	156	Pindi	Half	383	28	27	Gorra	3,574
2	185	Dhaddar	“	894	43	947	Khariot	9,735
3	186	Makrummi	“	423	32	248	Do	No.2
4	193	Dhaka	“	1,354	49	387	Khura`	2821
5	194	Naushehra	“	1,796	141	572	Hayatulmir	5,244
6	195	Sabral	Free	469	46	417	Gorra	No.1
7	196	Adlial	“	187	11	113	Do	No.1
8	197	Nanawan	“	254	11	240	Surakki*	577
9	198	Ssrhal	“	314	44	352	Mardwal**	5182
10	203	Kufri	Half	1233	112	269	Warchha	7299
11	204	Shahkar Kot	Free	372	30	114	Augfga	3487
12	210	Kuraddhi	Half	828	67	303	Khuraddhi	1201
13	212	Uchhali	“	1428	151	238	Uchhali	3594
14	215	Amb	Free	1380	71	1928	Amb	9766
Total			..	11315	836	6400		

*Can also graze in Rakh gorra on payment of full fees. This privilege is confined to Rakh surrakki..

** Can also graze in Rakh Augga on payment of full fees. This privilege is confined to Rakh Mardwal.

Notification
Dated the 21st septimber, 1950.

No.3121-D(F). In exercise of the powers conferred by sections 41 and 412 of the Forest fact,1927(hereinafter referred to as the Act), the governor of the Punjab is pleased to make the following rules:

Rules

1. These rules may be called the Jehlum firewood and Charcoal Depots rules, 1950, and shall come into force within the local limits of the Jehlum district with effect from the date of this notification
2. (1) The terms “ Divisional Forest Officer” and “ the Deputy commissioner” mean respectively the Divisional Forest Officer and the Deputy Commissioner of the Jhelum District.
(2)the term “ Forest Officer” as defined in the Act shall include any officer of the Forest Department in the Jehlum Forest Division so designated by the Divisional

Forest Officer, Jehlum.

(3) the term "Depot" means any building or place where firewood or charcoal is brought or stored for sale and includes the kilns made for burning charcoal for sale and also brick-kilns in which firewood or charcoal is used.

3. No person shall establish or maintain a depot in the Jehlum District unless it has been registered in accordance with these rules.
4. Any person wishing to establish or maintain a depot shall register it in the office of the Divisional Forest Officer, Jehlum Forest Division, and shall give in respect of such depot such details in regard to the source from which firewood or charcoal present in the depot or disposed of or used by him were acquired as may be required by the Divisional Forest Officer.

Provided that all depots existing on the date of publication of these rules shall be registered within a period of one month from such date.

5. (i) The Divisional Forest Officer may for reasons to be recorded refuse to register any depot. An appeal shall lie against such an order to the Deputy Commissioner, Jehlum within 30 days of the date of the order exclusive of the time spent on the copy of the order, and the decision of the Deputy Commissioner thereon shall be final.

(ii) the Divisional Forest Officer or the appellate authority in granting an application for registration may demand security not exceeding Rs.250(rupees two hundred and fifty) from the applicant to ensure that firewood and charcoal are not brought from Government Forests except in accordance with law. The Divisional Forest Officer may forfeit this security in whole or in part for breach of any condition, and his order shall be final subject to an appeal to the Deputy Commissioner as under clause(i).

6. No depot shall be allowed to be established within two miles of the Government reserved, protected or unclassed forest, but the Divisional Forest Officer may for reasons to be recorded exempt any depot from the operation of this rules.
7. the owner or person incharge of a registered depot may, at the discretion of the Divisional Forest Officer, be required to maintain correctly either or both of the following registers in the form specified for each:

(i) Register of receipt of firewood and charcoal showing:

1. Date of receipt
2. Name and address of person from whom received
3. Species
4. quantity.

(ii) Register of sales and removals of firewood and charcoal showing:

1. Date of sale
2. Name and address of person to whom sold or made over.
3. Species:
4. Quantity.

8. every owner or person incharge of a registered depot shall produce the above registers for scrutiny when called upon to do so by any Forest Officer.
9. Any person who infringes of these rules shall, without prejudice to any liability incurred under the provisions of the Act, relating to seizure and confiscation, be liable to punishment of either description for a term of imprisonment which may extend to six months or to a fine which may extend to Rs.500 or both.
Provided that in case of a repetition of the offence by the same person or where an offence is committed after sunset and before sunrise or after preparation for resistance to lawful authority the punishment may extend to imprisonment not exceeding one year or a fine not exceeding Rs.1000 or both

CHAPTER X
FOREST RULES OF THE MULTAN DIVISION

Rules for Protected Forest under section 29 of Act XVI of 1927

Notification No.619 dated the 18th November, 1901;

The following rules apply to areas declared to be Protected forests in notification No.312 dated the 7th June, 1901, and Notification No 618 dated the 18th November, 1901.

1. All trees within those areas are reserved.
2. Within those areas, the quarrying of stone, the burning of lime or charcoal, the collection or subjection to any manufacturing process, or removal of an forest produce, and the breaking up or cleaning for cultivation, for building , for herding cattle or for any other purpose, any land within those areas is prohibited.

But nothing in these rules shall be deemed to prohibit any act done with the permission in writing of the collector or District Forest Officer, or in accordance with any rules that may hereafter be made by the Punjab Government or in exercise of any right recorded at the recent settlement of those areas.

CHAPTER XI

Inter Departmental Rules for Guidance in the Management of the Canal Plantations by the Forest Department

1. Land to see placed at the disposal of the forest department

All lands, whether under trees growth or not, at Headworks, in the station areas, and on the banks of various canals transferred to the Forest Department, being the property of the Irrigation Branch and not used by them, will to be placed at the disposal the Forest Department of the production of firewood and timber. Lands at present leased out for temporary cultivation under the "Grow-more food" campaign will not be taken up for afforestation until the period of their current leases expires.

2. Budgeting for Expenditure

This is a matter for the Forest Department, it is understood that proper provision will be made for such items as lopping branches of plantation trees, which overhang canal roadways of channels.

The Forest Department will budget, keep account and make adjustments of revenue with the Irrigation Branch as the unit, but will also keep supplementary accounts by canal circle for the information of the officers of the Irrigation Branch.

3. Division of surplus revenue between the two department

All the canals transferred will be treated as one unit for the purpose of adjustment of surplus revenue between the two departments. From the gross revenue (R) will be deducted all expenditure (E) incurred by the Forest Department on the management and development of canal plantations, i.e., all items in B and C heads of the Forests Department Budget dealing with canal plantations plus proportionate cost of establishment employed partly on canal plantations and the surplus (R-E-S) will be adjusted in the ratio 1 :1 between the Irrigation Branch and the Forest Department.

4. Control of lands

The land and the plant actions will continue to the property of the Irrigation Branch. For example, earth required for canal repairs will continue to be obtained without reference to the Forest Officer from wherever necessary, but with a littler damage to the plantations as possible.

5. Water required for irrigation;

Water for the irrigation of plantations will be provided free of charge by the Irrigation Department as heretofore and necessary outlets will be provided wherever required. The cost of the outlets will be debited to plantations through the Forest Department.

6. Fuel for the canal staff and officers;

Indents for firewood will be made by the Divisional Canal Officers on the Divisional Forest Officer half-yearly on the 1st April and 1st October. On receipt of the indents the Forest Officer will set aside a sufficient number of suitable trees at convenient sites as adjacent as possible to the places at which the supply are required. All arrangements for felling, cutting, splitting, carriage, etc., including preparation of charcoal, will be made by the canal authorities. In case, however, this method of providing fuel should prove unsuitable in any particular case, other arrangements should be made by mutual agreement between the Divisional Canal and Forest Officers. For supplies to the staff royalty will be charged at rate fixed by the Irrigation Department.

7. Stakes and timber required canal works

Whenever brushwood stakes and timber are required for canal works the Divisional Canal Officers will apply to the Divisional Forest Officer giving him the necessary particulars and the later will arrange to mark suitable trees at the nearest convenient site. In case there is no response within 15 days from the Divisional Forest Officer to the indent placed by canal officers for wood required for canal works, the Divisional Canal Officer may take charge of the wood and inform the Divisional Forest Officer concerned accordingly.

The cost of the above forest produce will be adjusted at rates to be mutually fixed by the Chief Conservator of Forests and the Chief Engineer from time to tome.

In case of urgency, the Canal Sub-Divisional Officer may wire direct to the Divisional Forest Officer or in special cases to the Range Officers. When immediate action to ensure the safety of canal work is necessary and the regular procedure cannot be followed, the Canal Officers may select and fell the trees themselves and inform the Divisional or the Range Officer concerned.

At the end of each month the Divisional Forest Officer will send to the Executive Engineer for the verification and return a statement showing the details of trees marked and handed over to him in the particular month.

8. Shade line;

Special attention will be paid by the Forest Department to the maintenance and improvement of the shade line. No shade line will as a rule be felled until the adjoining strip is taken up for felling where such strips exist, but dead and dangerous trees may be felled over in one year in a continuous stretch will not be more than 5 miles and the continuous length over which felling will take place, during a period of years (the time taken to grow new trees big enough to give adequate shade) will be not more than 10 miles. In felling the shade line all young trees up to 8" diameter, if well grown, will be left, at an average spacing of 6 per furlong (10 feet apart on an average and this will be the bet grown and most vigorous trees: all reasonable vigorous mango trees will be retained.

9. Distance of the shade line or edge of plantation from the motor road

It is necessary to prevent the shade line or other trees on the edge of a plantation from being planted too near the edge of the road. Trees should, wherever possible, be planted at a distance of 25 feet from the too of daula. Where the available width of the land is such that a shade line, if planted, would have to be nearer than 25 feet to the too of the daula, the Divisional Forest Officer must consult the Executive Engineer before deciding whether to plant or not. Where for any reason it appears desirable to plant the shade line more than 25 feet away from the too of the daula the Divisional Forest Officer will also consult it is desirable that trees should not, where possible, be nearer this should not normally be removed until the area is due for fellings under the regular felling scheme or programme.

10. Control Establishment

The Forest Department will be responsible for the staff required and the control of the Forest Establishment will remain entirely with the Divisional Forest Officer. The staff of both Department will endeavour to co-operate in every possible way in the interest of Government work.

11. Transport of Forest Produce.

(a) When fellings take place along the side of the canal cart road.-

Where no other practicable route exists the canal cart road be used for export of forest produce. The Divisional Forest Officer will decide for each contract as early as possible in the season, before fellings are to take place what route should be used for export, and this will be laid down in the sale list and agreement deed, after confirmation by the Executive Engineer. When the canal cart road is used contractors will not be charged for repairs.

(b) When fellings take place along the side of the motor road where a practicable alternative road does not exist the Divisional Forest Officer will obtain the written permission of the Executive Engineer for the canal motor road to be used for the export of forest produce. When forest contractors use and damage the motor road, whether in the reach for which permission has been obtained or elsewhere, they will pay for the necessary repairs up to a maximum of Rs. 200 per mile. For each contract for which the use of the motor road is necessary, a clause to the above effect will be entered in the sale list and agreement deed.

(c) Where navigation exists, all reasonable facilities for export by boat will be provided.

12. Transport of seeds, plants, tools, etc.

The Forest Department may use the canal roads for the transport of seeds, plants, tools, etc. and will as far as possible convey these along the cart road, where such exists. On the motor road transport of such material shall be limited to two consignments in any

section during the rains and as far as possible such transport shall be avoided for three days after the heavy rain.

13. Occupation of canal Rest House by Forest staff

The Gazetted Forest Officers will have the same privileges as the Gazetted Canal Officers with regard to the occupation of Canal Rest Houses, but will ordinarily obtain prior permission to occupy any particular one. The Forest Range Officers will be allowed privileges corresponding to those enjoyed by canal overseers in this respect. Other forest establishment may occupy for a few days the quarters at any canal Rest House if available.

14. Facilities or Touring

The staff of Forest Department will have the same privileges as the canal staff and will be supplied with fuel at the same rates.

15. Sales of Grass and Grazing Facilities for the Staff.

The sale of grass of the plantation areas and canal banks will be made by the Forest Department in consultation which the Executive Engineer who will supply particulars about the reaches to be auctioned for grazing purposes, after obtaining the approval of the Superintending Engineer.

The present practice of reserving a mile or so on one or both banks as necessary for grazing animals of the Canal staff adjacent to each Rest house, etc., will be continued. When ever such reaches are required for restocking, the Divisional Forest Officer will provide a suitable alternative as nearly as possible.

16. Use of the canal dak and Telegraph lines

The Forest Department will be allowed the use of the canal dak. They will also be allowed the use of the canal telegraph lines for service messages.

17. Co-operation between the two Department

Frequent meetings for discussion of matters concerning the management of canal plantations are desirable. This particularly applies to meeting between the Divisional Forest Officer and Executive Engineer; the benefit to be gained from such meetings and from personal contact between the officers of the two departments is obvious.

18. Fruit trees.

The fruit trees, which are at present being auctioned by irrigation Branch, shall continue to be so auctioned, till the trees become too old and require felling.

JUDGEMENTS OF THE CHIEF AND OTHER COURTS AND OPINIONS OF THE
LEGAL REMEMBRANCER IN CASES OF IMPORTANCE TO THE FOREST
DEPARTMENT.

1. GRAZING IN RESERVED FOREST

IN THE CHIEF COURT OF THE PUNJAB

Case No. 168 of 1909

JUDGEMENT

This is an appeal by the Local Government from an acquittal under Section 25, Act VII of 1878.

This question before us is simply that of the proper interpretation to be placed upon section 25, clause (b) of the Forest Act (VII of 1878).

It is argued by the learned Government Advocate that under Section 25, clause (d), which runs as follows –
“any person who trespasses or pastures cattle or permits cattle to trespass” renders all owners of cattle whose animals trespass in a reserved forest criminally liable under the Act for such trespass, wherever such owners may happen to be. He argued that the prevention of such trespass was a duty laid upon all owners of cattle throughout India, and that they could not escape criminal liability by delegating the immediate charge of the cattle to paid herdsmen or drovers. On the other hand, Mr. Agnew, District Magistrate of Rawalpindi, had laid criminally liable unless he is actually present and in immediate charge of the cattle himself. In support of his contention the learned Government Advocate himself quoted the following authorities.

Mayne's Criminal Law, pages 249, 251 253.

No. 9 P. R. of 1897, 19 P. R. 1878

Time Law Reports, page 122.

Now the same remark applies to all these cases. They deal with cases of “special obligation”. Such as the management of licensed houses, the liabilities of liquor licenses, and so on, and stand upon a different footing from clauses in Acts of general application. We are quite unable upon any of the authorities quoted to come to the conclusion that the owner of a herd of cattle, in Lahore, for instance, who sends them to graze in the Himalayas under competent herdsmen would be criminally responsible for the trespass of some of the cattle into a reserve in the Murree Tehsil. There must be a direct responsibility for the particular act of trespass. But while we take this view we are equally unable to subscribe to the view that an owner of cattle can never be held guilty of the offence of permitting cattle to trespass if he is not actually present when the trespass occurs. Indeed it is not too much to say that the mere fact of his absence may in itself constitute the offence. Illustrations are always dangerous and must be taken with all due limitation, but we can imagine the case of a man living on the verge of a reserved forest turning out his cattle in forest of his house, and going off elsewhere in the full knowledge that his cattle would immediately find their way into the reserve, being guilty an offence under Section 26 (b). it appears to us that when the cattle of any owner are found trespassing within a reserved forest in the neighbourhood of his house, prima facie he must be held to have permitted the trespass.

He may rebut the presumption, one way of rebutting it might be to show that he had confided his cattle to reliable herdsman with instructions to keep the cattle out of the reserve. Again in illustration, if it were shown that an owner had, on the verge of a reserved forest, confided a large number of cattle to the care of small boys with the full knowledge that the boys could not keep them out, and that they are practically

certain to go in, his mere absence at the moment of trespass would not absolve (b). In brief the question whether an offence under section 26 or not guilty of an offence of permitting cattle to trespass does not depend upon his absence or presence at the moment, but upon the question of fact in each case, did he or did he not in fact permit his cattle to trespass.

The answer will depend upon the whole circumstance of each case. In a great many cases the question will resolve itself into-Did he or did he not take proper precautions to prevent such trespass? This view of the meaning and intention of section 26(b). we accordingly accept the appeal and return the case for decision on its merits in view of the remark made above.

“1. A-Grazing in Protected Forests”.

In the Chief Court of the Punjab

Revision Side

Criminal

Case No. 565 of 1916

Case reported to by Major R.W.E. Knollys, Sessions Judge, Hoshiarpur and Kangra Districts, with his No. 586, dated 15th March, 1916.

(Section 438 of the Criminal Procedure Code).

Present

The Honourable Sir Donald Johnstone, Chief Judge.

The Crown versus (1) Bogghu, (2) Sirroo (3) Ghungar, (4) Puraaha (5) Gorko and (6) Hardyal

Charge under Sections 31 (i) and 22 (h) Act VII of 1878. the facts of this case are as follows:-

The Forest Department have prosecuted the six accused, Gaddis-landowners in village Kjarri, for grazing sheep and goats in the undermarked protected forest lands in Kjarri, under Sections 31/32 of the Forest Act.

The accused petitioners admit grazing their sheep and goats and claimed to do so on account of having acquired proprietary rights in Kjarri.

The Magistrate held that as accused became landowners long after the commencement of the current settlement they have acquired no right to graze sheep and goats in the forest village area.

The accused, on conviction by Mr. E.J. Stephens, exercising the power of a magistrate of the 1st Class in the Kangra District, were sentenced by order dated the 23rd December, 1915, under Section 31/32, Act VII of 1878, to one month's rigorous imprisonment each.

The accused were let out on bail on the 16th January, 1916 directly the files were received.

The proceedings are forwarded for revision on the following grounds.

The accused having purchased revenue paying cultivated land with a share in the shamilat are entitled to the rights of the land owners from whom they acquire the land irrespective of the purchase being before or after the commencement of the current settlement. The rights are held as "an incident of their proprietorship in the soil" (paragraph 26 of Kangra Forest Settlement Report, 1887).

Also according to the order, dated 16th March, 1912 of the Chief Court in Revision case No. 1711 of 1911, the proviso in paragraph 5 (2) of notification No. 416 dated 14th August, 1897, allow proprietors to graze sheep and goats as long as all their cattle (including sheep and goats do not exceed in number the 30 percent, limit fixed. There is no evidence that the limit has been so exceeded or that the sheep and goats were used purely for trading purposes. Consequently no offence has been proved.

Even if accused be held to be guilty, the punishment is much too severe, the case being admitted by the District Magistrate to be a test one, and the Tahsildar after enquiry on the spot having reported prior to the prosecution being ordered that the accused are entitled to the grazing right claimed.

For these reasons I recommended that either the convictions and sentences be set aside, or that the case be remanded for further enquiry as to the area of cultivated land and the number of cattle, sheep and goats possessed by the vendors at the last assessment of the revenue.

PRDER OF THE CHIEF COUR

CROWN – By the Government Advocate

ACCUSED – By the honourable Rai Babadur Bakhshi Sohan Lal, Pleader

I am not at all disposed to interfere in this case, No doubt the order in the Criminal Revision 1711 of 1911, by Kensignton, J, has some bearing on the present matter, but the facts are not quite the same and further I find some difficulty in following reasoning of the Sessions Judge there, which was adopted whole sale by this court without discussion.

Here the case stands thus. At previous settlement of Kangra District certain grazing rights were allowed to the then proprietors of land in Mauza Kerreri of Karreri. After that these accused acquired small plots of land form their owners and now claim grazing rights as if they had owners at the settlement and so Perhaps if one of them had entirely bought out an owner of settlement time, he might be held to have acquired all that owner grazing right no one would object to this. But does he gain a maliks grazing rights by buying from an owner an

infinitesimal plot of ground of his? But in this way the claim is reduced to an absurdity, for an owner might sell separate minute plots of land to 1,000 outsiders.

The accused have been let out on bail, having still one week of their sentences to put in. I allow revision only to this extent that they need not be re-arrested, sentences are reduced to the periods already undergone. But the convictions are sound and must stand.

I would like to add a few words. The limit of number sheep and goats to be grazed is by the notification of 1897, the number owned and grazed by the individual proprietors at settlement plus 30 percent. Nor can it be said that any of the accused owned and grazed as proprietors any animals at all at settlement? No one of them has acquired the right as such of his vendor.

REALIZATION OF OUTSTANDINGS DUE FROM FOREST LESSEES AS ARRARS OF LAND REVENUE

Judgment of the Collector of Gujrat, declaring that the outstanding dues from forest lessees could be realized as arrears of Land Revenue under Section 82 of the Forest Act.

Heard. – Mr. Vishan Narain for Messers Rup Lal and Sons and Government Pleader for Forest Department.

ORDER

Messrs Rup Lal and Sons are the lessees of certain land in the Reserved Forest, Daphar. There is an agreement duly executed between them and the Secretary of State. In the agreement there is a stipulation to the effect that any arrear due under the contract form Messrs Rup Lal and Sons may be realized as arrears of land revenue.

On behalf of the Forest Department it is urged that a sum of Rs. 53,937/2/9 is due to the Department, and that this amount should be recovered as arrears of land revenue by the Collector under Section 85 of the Forest Act.

On receipt of this application of the Forest Department I attach certain immovable property belonging to Messrs Rup Lal and Sons in Gujrat City and their standing crops in Rakh Daphar.

The contention of Mr. Vishan Narain on behalf of Messrs Rup Lal and Sons is that the amount due to the Forest Department from Messrs Rup Lal and Sons cannot be realized as arrears of land revenue. He says that this amount, if due to the Forest Department is due on account of the rent of certain land leased by the Forest Department to Messrs Rup Lal and Sons and that the relation of land lord and tenant subsists between the parties, and as the amount due (from Messrs Rup Lal and Sons is rent due) to the Forest Department it cannot be realized as arrears of land revenue.

On behalf of the Forest Department it is contended that this amount can be realized as arrears of land revenue under Section 83 of the Forest Act because this amount is due to the Forest Department on account of the contract entered into in writing between Messrs Rup Lal and Sons and the Secretary of State on account of certain rights which the Secretary of State gave to Messrs Rup Lal and Sons.

Rakh Daphar is a reserved forest. Under Section 26 of the Forest Act nobody can break up any land for cultivation in a forest unless he is either permitted to do so by a contract in writing under section 23 of the Forest Act or he has been allowed to do so under Section 15 of the Forest Act. It is clear that Messrs Rup Lal and Sons have not been given any rights under Section 15 of the Forest Act. In a reserved forest nobody can break up land for cultivation, but Messrs Rup Lal and Sons have been cultivating the land in this forest. Evidently they were doing so in virtue of a written contract entered into between them and the Secretary of State. But this contract could only be entered into under Section 23 of the Forest Act. It is then clear that Messrs Rup Lal and Sons were cultivating the land Rakh Daphar in virtue of a written contract between them and the Secretary of State and that this contract was entered into under Section 23 of Forest Act. As the contract was entered into under the Forest Act, it is clear that any sum due from Messrs Rup Lal and Sons is due under the Forest Act. I, therefore, am of opinion that any sum due from Messrs Rup Lal and Sons in respect of the contract entered into between them and the Secretary of State can be realized as arrears of land revenue under Section 82 of the Forest Act, and I hold accordingly. I do not think that Section 85 of the Forest Act is applicable to a case like this.

On behalf of Messrs, Rup Lal and Sons, Mr. Vishan Narain contends that I cannot attached immovable property belonging to Messrs Rup Lal and sons, situate in Gujrat, unless I have exhausted all the other processes detailed in Section 67 of the land Revenue Act. I have gone through Section 67 and 77 of the Land Revenue Act. I do not find any warrant for this statement. In this particular case the steps that can be adopted for the realization of this amount are:-

1. issue of the writ of demand.
2. arrest of the defaulter
3. attachment and sale of the movable property including standing crops of the defaulter and
4. attachment and sale of immovable property.

It is cleared that by the issue of the writ of demand nothing can be realized from Messrs Rup Lal and Sons, They had notice that so much was due from them to the Forrest Department, but they have not voluntarily paid any single pie since the Forest Department began to take steps for the recovery of the arrears, Therefore to hope that anything could be realized by the issue of the writ of demand is out of the question.

The next process was the arrest and detention in prison of the defaulter. I did not consider this step necessary in the present case because Mr. Harbans Lal is a man of business and I did not like to restrain him from carrying on his business and if possible to make arrangements for the payment of the amount due.

I have already ordered the attachment of the standing crops and I am of opinion that much cannot be expected from the sale of the standing crops. The only process remaining, therefore was the attachment and sale of immovable property for the recovery of the arrears of land revenue, if I am of opinion that the amount cannot be realized by taking other steps, I have already said that I was of opinion that by taking other steps I could not realise the arrears and therefore, it was necessary for me to attaché the immovable property. It is true that I cannot order the sale unless the sanction of the Honorable Financial Commissioner is obtained which will be done in due course.

The learned Counsel for Messrs Rup Lal and Sons quotes before me 20 Bombay , page 704, 107 Indian cases , page 298, and 86 Indian cases, page 87,

But in view of what I have said, I do not think that the amount due from Messrs Rup Lal and Sons cannot be realized as arrears of land revenue under Section 82 of the Forest Act.

Mr. Vishan Narain contends that I could not proceed to realise this amount as arrears of land revenue unless I had before me a certificate from the Revenue Officer as required by Section 66 o the Land Revenue Act. I think that in the case of dues from other departments it is not possible for a Revenue Officer to give such certificate.

In such cases the certificate of the Department concerned must be taken as conclusive proof of the extent of the arrears and this view is borne out by a perusal of Section 98 and 99 of the Land Revenue Act.

In view of the foregoing remarks I see no substance in the application of the petitioner and reject it.

Announced.

Dated 7th January, 1932.

3. LEVY OF COMPENSATION UNDER THE CATLE TRESPASS ACT.

From Director of Farms, Punjab Command, Ambala, to the Legal Remembrancer to the Government of the Punjab-No. 1115 K dated the 30th July, 1904.

I HVE honour to ask your opinion on the following points regarding the Cattle Trespass Act and cognate legal points:-

The usual procedure in Military Farms in cases of trespass is as follows.

The animal is brought to the officer in charge who enquired into the case and (a) releases the animal, (b) compounds with the cattle owner or (c) if the owner is unwilling to compound sends the cattle to the pound.

I particularly desire your opinion on the following points:-

- I. –Is there anything illegal in the employee (a man without knowledge often and without authority) bringing trespassing animal to his employer for order.

Cases frequently occur where enquiry shows the employee has seized cattle not really committing trespass and which had only momentarily strayed. In such case the cattle are released and not sent to the pound, and an injustice is avoided, If , however, an animal must be sent to the pound no such investigation is possible.

- II. Also is it necessary to actually take the animal at once to the pound , which procedure may cause the interruption of some urgent work and consequent loss. Might not the animal if caught in the morning be taken to the pound in the evening, or if caught in the evening be taken the next day?
- III. Is there any legal objection to compounding in the following cases(a) an animal found illicitly grazing, the owner not being present(b) where the owner is present and is knowingly grazing his animal illicitly ?
- IV. From the legal Remembrance to the Government of the Punjab to the Director of Farms, Punjab Command, Ambala No.2915-0 P, dated 30th July, 1904.

With reference to your letter No.1115-K dated 30th July 1904 , I have the honour to state that the proper answers to the questions raised therein appear to be as follows.

2, Question I and II.—There is nothing illegal in your servant or employee bringing cattle he alleges were trespassing to your for orders, He is authorized by you to do so and the seizure is seized by you. Section 10 ,Act I of 1891, authorizes you t seize or cause to be seized any cattle and the same section only requires such cattle to be sent to the pound within twenty-four hours of the seizure.

3. Question III. – There is nothing illegal in compounding in either of the cases specified. You have a certain right of impounding and may forego that right by any lawful agreement with the owner. It must be remembered, however , that impounding the cattle does not affect your right to claim compensation in a court of law for damage done, but if you compound with the owner your right to compensation for damage may be lost. If you do not intend to claim compensation in court, or if the owner pays compensation, there would be course be no objection , but if you do , it would be wiser not to compound.

4. ARBITRATION CLAUSES IN CONTRACTS.

Opinion of the Legal Remembrancer, Punjab

SEVERAL cases have recently been forwarded for opinion regarding contracts between Government and other in which notices of suit for breach of contract have been given, such contracts containing a clause that in the event of dispute the matters in dispute shall be submitted for arbitration. Most Government contracts contain this stipulation , and there appears to be a general prevailing impression that the mere existence of such a clause in a contract is a bar to a suit in court, and there is some danger that Departments concerned, relying on this impression, may leave disputes outstanding too long after receipt of notice of suit to allow of resort to arbitration.

This impression is an erroneous one. Such a clause is no bar in itself to suit, what is a bar is refusal to act on such clause when required, i.e. if when called on to submit to arbitration in accordance with the contract the claimant refuses to do so , his refusal but not the arbitration clause it self, can be pleaded in bar under Section 21 of the Specific Relief Act.

For such refusal to be a complete bar, it must have been made before the suit is filed, so that it is useless to rely on an arbitration clause when a case goes into court unless there has been a refusal to act on it beforehand.

It is, therefore of primary importance that as soon as notice of suit is received, if Government desires to avail itself of the arbitration clause, the other side should be called on to submit to arbitration. In such cases when notice to submit has been given, and the other side has refused, Government can frequently proceed to an ex-parte arbitration, and the award given ex-parte will be upheld. This latter of course is the appropriate remedy when Government is in the position of plaintiff.

As the period of filling a suit is only two months after notice, contracting departments and officers are advised that action should be taken immediately on receipt of notice, and that case be submitted to the Legal Remembrancer for advice as to action at the earliest possible moment, in order to avoid danger of Government being deprived through inadvertence of the benefit of the arbitration clause which means not merely expedition, but a considerable saving of money in defence.

The law as to awards is so very strict in its finality that the courts are exceptionally inclined to view with regret any departure from the procedure leading up to the award, and it is all more necessary to be careful in dealing with such agreement.

IN THE HIGH COURT OF JUDICATURE AT LAHNAORE

REVISION SIDE

CRIMINAL

Case No.1160 of 1927

Present

Mr. JUSTICE HARRISON

Petition under Section 439, Criminal Procedure Code, for revision of the order of Lieutenant-Colonel, J. Friselle, Sessions Judge, Rawalpindi, dated the 8th November, 1926, affirming that the Sheikh Muhammad Murid Akbar, Magistrate, 1st Class, Rawalpindi, dated the 5th August, 1926, dismissing the Complainant.

LAL BADSHAH

Complainant

Petitioner.

Versus

The Crown through Lal Hussain and 2. Nasir-ur-Din Respondents.

Charge- Under Section 61. Forest Act.

Petitioner:- By Mr. Pakhash Chandar Advocate for Mr.B.A. Cooper Advocate.

Respondents Diwan Ram Lal, Assistant Legal Remembrancer for the Crown.

Judgement:-

One Lal Badshah is the owner of the private Forest and is in the habit of importing his wood into Rawalpindi City and has not provided himself with pass of the nature contemplated in Section 41© of the Indian Forest Act and the rules

made thereunder. He was prosecuted for breach of rule (4) was convicted by a Magistrate and his conviction was upheld on an application for revision being presented I took the views that the word "timber" and "forest produce" should be read as meaning the same being both in section 41 and section 39 governed also section 41. At the hearing of the application for revision the Crown was not represented as is too often the case where a point of any importance or difficulty is involved. After this decision Lal Badshah proceeded to import more timber into Rawalpindi city without a pass in order. I am informed, to obtain a ruling of a Division Bench he was again prosecuted and acquitted, Unfortunately the period of limitation for the presentation of an appeal was allowed to elapse and naturally enough Lal Badshah continued to behave as before. His timber was confiscated on a third occasion and he thereupon lodged a complaint under section 61 of the Indian forest Act. This was dismissed under section 203, Criminal Procedure Code, and his application for a further enquiry was dismissed by the Sessions Judge of Rawalpindi. He now applies for revision of that order.

Whatever view may be taken of the meaning of the words "timber" and "Forest produce" in section 41, the first point to be decided is whether there has been vexatious and unnecessary action on the part of the Forest Officer, who confiscated the wood. Mr. Ram Lal points out that in order to test the previous decision given by me ex-parte it was considered advisable to get a further pronouncement and it was thought that this could only be made short of actual legislation, by engineering another test case and if possible, an appeal from an acquittal. By an oversight the chance was lost and it was therefore considered necessary to take further action. On the other side it is urged that whatever necessity there may have been for taking action the second time, when the man had been acquitted the second time and no appeal from the acquittal had been presented, he should not have harassed yet again. In my opinion there is no force in the further contention put forward by Mr. Ram Lal that because the officer taking action was a subordinate and the action was decided upon by his superior officer, the head of his department he is absolved from all liability. He is absolved from all moral blame of course but the section still applies if he has acted vexatiously and unnecessarily vexatiously he has acted in accordance with the meaning given by Webster to the word. Necessity is rather more difficult to determine, The initial mistake having been made of not taking advantage of the acquittal I do not think it is going too far to say that in the interests of all involved Legislation would not be justified until there had been two decisions or a decision of a Division Bench or at least a decision after a full hearing. It appears to be, therefore looking at it from this point of view, that the action was necessary, The wood, which was confiscated, Mr. Ram Lal tells me, will be returned at once to Lal Badshah and therefore I do not think any further action should be taken in the matter of his complaint.

I now come to the merits and to reconsidering the matter I think there can be no doubt that my previous decision was wrong. The view there taken was that the power of the local Government to levy duty having been restricted in Chapter

VII to duty on timber produced in British India in which they have rights, and all timber brought from any place beyond the frontier, the same restriction must be held to govern their powers to control transit. The further restriction, which is to be found in Chapter VII making the levy of duty subject to the control of the Governor-general in Council is not to be found in Chapter VIII. The reason is obvious, namely that duty is levied both on home grown and foreign timber and the matter is not wholly on provincial. Chapter VIII on the other hand gives powers to the local Government without any control whatever, to regulate transit, and if the illustrations giving the matters, regarding which such rules can be made, be read carefully I think it is clear from the internal evidence of these explanations themselves that such control must apply to all forest produce whatever its source of origin and to whomsoever it may belong. It would obviously be futile to make rules applying to rivers or road, which could be ignored by private individuals using such road and rivers. After the words "forest produce" in Chapter VIII section 41 there is a full stop and the illustrations and explanations then follow. In Chapter VII section 39 after the words "forest produce" there is no full stop and the words are qualified by the subsequent sub-clauses. This points clearly in my opinion to the conclusion that the words "timber" and "Forest Produce" in section 41 are used in the widest sense as given in the definitions to be found in section 2 and not in the narrow and restricted sense especially introduced to define and limit the powers described in Chapter VII. It is not a question of the impossibility of working the rules on any other interpretation of the words "timber" and "forest produce" but rather of the meaning of the actual words used in the two sections when read together. Duty in the nature of things is only levied on a very limited section of the timber, whereas the rules, as indeed the section clearly says have to be made regarding the control and transit of all timber whether privately owned and wheresoever it may have been grown.

I dismiss this petition.

21st October, 1927

Sd. M. HARRISON
Judge.

Extract from a letter No.4071/455-25, dated 2nd December, 1925, from the Legal Remembrancer to Government, Punjab to the Chief Conservator of Forests, Punjab.

3. Section 71(d) allows a duly authorized Forest Officer to hold an enquiry and to receive and record evidence. Such evidence is not recorded under the Criminal Procedure Code and the only formality required by the Forest Acts that the record must have been made in the presence of the accused in order to be admissible in a subsequent trial before a Magistrate.

5. Under section 4 of the Oaths Act(X of 1873) a Forest Officer duly empowered under section 71(d) of the Forest Act is empowered to administer oaths and solemn affirmation under section 5 of the Oaths Act. A witness examined by such an officer is bound (if so required) to take an oath and who are to make solemn affirmation see section 6. but no omission to take oath or make affirmation renders the record of a statement inadmissible in evidence (see section 13 of the Oaths Act). The conclusion is that a statement recorded under section 71(d) of the Forest Act should be taken on oath or solemn affirmation if only to attach to it that value which attaches to regular records of evidence made under the Code of Criminal Procedure should be followed throughout, the officer recording evidence nothing as he signs each deposition that the statement has been read out and admitted to be correct by the witness.
5. Evidence of statements recorded by the Forest Officer is admissible in judicial proceedings held under the Code of Criminal Procedure, under Sections 33,145,155 and 157 of the Indian Evidence Act 1872. Such evidence will be by formal proof of the document recording the statement. It may be admitted under section 33 as substantive evidence under certain conditions which are stated in the section. Under section 145, it may be used for cross examination of the witness in the judicial proceedings. Under section 155 it may be used to impeach the credit of the witness and under section 157 to corroborate a witness.

No.2283/540-36

From

J.D Anderson, Esquire, I.C.S.
Legal Remembrancer to Government , Punjab

To

The Conservator of Forests
Western Circle, Punajb

Dated Lahoe, 22nd June, 1936

Subject:- Interpretation of River Rules.

Sir,

In reply to your memorandum No.423 date the 1st June,1936 on the subjected cited above enquiring the legal interpretation of the words “ a distance of three miles” . I have the honour to invite your attention to S.11 of the General clauses Act, 1897 which runs as follows:-

“ In the measurement of any distance for the purposes of any Act of the Governor –General in Council or Regulation made after the commencement of this Act, distance shall, unless a different intention appears, be measured in a straight line on a horizontal plane”.

The rules were made under S.41` of the Forest Act. 1878, so in accordance with S.20 of the General Clauses Act the expression used in the rules will have the same meaning as it has in the Forest Act, 1878. The General Clauses Act, 1897, was passed after the forest Act, But I do not anticipate any difficulty in assuming that a court would hold that the words “ a distance of three miles” means that distance measured in a straight line on a horizontal place.

I have etc.,
Sd XXX
Legal Rememberancer, Punajb.

ORDERS AND INSTRUCTIONS RELATING TO FOREST PROSECUTIONS, ETC.

1. The Divisional Forest Officer will sanction all prosecutions for forest offence, officer below his rank are not authorized to institute legal proceedings against persons accused of committing forest offences without the previous sanction of the Divisional Forest Officer. All petty cases should, if possible, be settled under Section 68 of the Forest Act and permission to prosecute should be given only in case where the offence is serious, or the offender refuses to compound.
2. When an offender is arrested under Section 63 of the Forest Act and the Magistrate's court is at a distance from the scene of the offence he should be taken to the nearest Police Station and handed over to the officer in charge, who will take action in accordance with the provisions of the Code of Criminal Procedure, Chapter XXXIX.
3. Divisional Forest Officer may not file an application for a revision or for an appeal in any forest case without the sanction of the Conservator.
4. Under the Government of India Judicial Department, Notification No.350 dated 8th March, 1910 republished on pages 107 and 108 of Part II of the Punjab Gazette for the 18th March, 1910 certain offences under the Forest Act can be punished by whipping instead of by imprisonment in the case of juvenile offenders. The provision may be useful and the attention of magistrates should be drawn to it in cases where the officer prosecuting a forest offence case thinks it might be applied,

The forest offences for which whipping may be awarded are those under section 26,33 and 63 of the Forest Act and rules made under section 41 for the infringement of which imprisonment is prescribed as a penalty. Whipping may also be awarded under section 24 of the Cattle trespass Act*.

5. The Divisional Forest Officer should arrange with the District Magistrate for the service of the Punjab Prosecutor in all prosecutions affecting the department unless the case is so petty that the assistance of the Public Prosecutor is manifestly not required.

* Also see Government of India Notification No. 1650 ,dated 27th September,1926 page 101 of w.C. Case D.O. 1`21/1.1.

CHAPTER XII

RULES REGULATING THE FIRING OF LAND NEAR RESERVED FORESTS

Dated the 31st August, 1945.

No. 781-T—His Highness the Nawab Ruler Bahadur has been pleased to sanction the promulgation in the State of the following Rules under the Forest Act:-

No person shall set fire to any forest or grass land within one mile of a Reserved Forest without giving notice to the Conservator of Forests or any other official of the Forest Department as may be authorized by the Conservator of Forests to permit such firing and obtaining the permission in writing, of such officer, and then only subject to such conditions, restrictions and precautions as that officer may impose.

Infringement of these Rules is punishable under Section 77 of the forest Act XVI of 1927.

Letter No.4161, dated 13th June, 1951 from the Chief Secretary, Bahawalpur Government to A.M. the Minister for Agriculture and Veterinary, Bahawalpur Government , Bahawalpur.

Provision of a Revolve at Government expenses to the Range Officer , Walhar Forest Reserve.

With reference to your letter No.1772, dated the 14th April, 1951, on the above subject , I am directed to convey to you the sanction of the government of Alahazarat to the provision of a Revolver (Non-Prohibited bore) at Government expenses and exemption from the payment of usual Licence fee in favour of the officer , holding the post of Range Officer at Walhar as a special case. The cost of the Revolver will be defrayed by the Forest Department from their contingencies and the Police Department will arrange for its supply.

CHAPTER XIII

THE BAHAWALPUR STATE WILD BIRDS AND WILD ANIMALS PROTECTION RULES AND THE SHIKAR GENERAL RULES –1945

1. These Rules may be called the Wild Birds and Wild Animals Protection Rules ,1945.
2. They shall extend to the whole of the State and shall come into force from the date of publication in the State Gazette.
3. In these Rules unless there is is anything repugnant in the subject or context:-
 - a) “The Act” means the State Wild Birds and Wild Animals Protection and Shikar Act, 1945.

- b) "Contractor" means any person who regularly deals or trades in Wild Birds or wild Animals, whether dead or alive, within the meaning of Act.
- c) "Form " means a Form as set out in Schedule "A".

PART A
GENERAL RULES

4. (i) The period of every shooting Licence in Form No.1 Schedule "A" (Small game licence fee Rs.8 or general licence fee Rs.25) shall terminate on 31st December. The fee for the renewal of a licence is the same as prescribed in Rule 23 for the issue of the Licence.

ii)The period of the following licence shall also terminate on 31st December following date of issue:-

- a) hunting with dogs and hawking (Form II Schedule "A")
- b) Netting, noosing or snaring(Form III Schedule "A")
- c) Purchase , possession or sale of Wild Birds and Wild Animals(contractor's licence) Form IV Schedule 'A')

Fee for the above licences is given in Rules 12(e) , 17(a) and 30(a)

iii)the licences issued under the Act will be sanctioned by the Alimartabat the Primer Minister and issued under the orders of Alimartabat the Minister in charge. The same procedure will be adopted for the renewal of the licences.

Provided that a licence shall be allowed one month's grace for the purpose dof renewal of licence. On the expiry of grace period, licence shall onbly be renewed subject

to a payment of additional fee of Rs.2/8/- as late fee.

5. For the purpose of these rules” Small Game” shall mean all birds included in Schedule III of the Act and hares.
6. A licence under these Rules shall not entitle the holder thereof to kill or capture Wild Birds or Wild Animals in any State Reserve, protected area, or sanctuary vide section 19 and 21, of the Act.
7. (i) The Shikar Department under the Minister-in-charge is authorized to carry into effect the provisions of this Act. All application for licences or exemption permits under the Act should be made to the Shikar Officer. All exemption permits will require the previous sanction of the Bahawalpur Government.
ii)The licensing authority (vide Section 22 and 23 of the Act) may, without giving any reason ,refuse to grant or renew any licence.
8. The animals specified below may only be killed by fire-arms and by a holder of a General Licence during the year for which the licence is in force to the extent permitted in column 5 and provided the length of horn of each kind shall not be less than that mentioned below for each species.

S.No	Scientific name	English name	Vernacalar name	Total No. that may be killed or captured during a year under each licence	Minimum length of horn	Licenece required
1.	Antelope Cervicapra	Black Buck or Indian Antelope	Heran, heran Kala Haran, Mirg, Modai, Khalhar	2	20 inches	General Licence Rule 4(iv)
2.	Gazella behtti	Indian Gazelle or Ravine Deer	Chikara, Kabunch Ask ,shutsyys,gora Hiran, Chitta Hiran	2	10 “	
3.	Cervus porolnus	Hog Deer	Para ,Pahra, Pacha	1	12	

4	Felis	The leopard or Panther	Chitra etc		As may be specially sanctioned on a separate application
5	Felis lyns	The Lyns	Siyah-gosh		
6	Felis carecal	The Caracal	do		

9. The killing of any of the animals mentioned in schedule III by aid of artificial lights, by employing camels or other animals as screens, is strictly prohibited and no person shall lie in wait near any water or salt licks for the purpose of killing or capturing any such animal, nor shall any such animal be shot from any wheeled vehicle.
10. The killing or capturing of the female or the young of all deer , gazelle and antelope is strictly prohibited throughout the year.
11. The following persons are authorized to require the production of a licence under section 8 of the Act or to lodge complaints under Sections 24 of the Act:-

(a) All Gazetted officers

b) All police officer not below the rank of sub-inspector .

c) All Forest officer not below the rank of Range officer

d) All Magistrates .

e) Any other person specially authorized by the Shikar Department

12. (1) Hunting with dogs and hawking shall be governed by these Rules, and no person shall kill or capture any Wild Birds except those mentioned in Schedule I of the Act ,by means of hawks or with dogs ,without a licence The holder of a licence under these Rules may use dogs for the purpose of flushing and retrieving birds and hares.

(2) The fee for a licence for hunting with doge and hawking will be as given below:-

	Rs
For 3 hawks	10

For every additional hawk	20
For 6 dogs	5
For every additional dog	8/-

3) The season for hunting with dogs and for hawking shall be that prescribed in column 5 of Schedule III of the Act and the capture of killing of Wild Birds and Wild Animals by hawks and dogs at any other period of the years is prohibited.

13. whoever commits a breach of the provisions of the Act or of any rule made thereunder or of any conditions of the licence shall be punishable under Section 25 of the Act.

14. A copy of every order made under Section 25 of the Act in respect of a licence, together with the nature of the offence committed shall be endorsed by the Magistrate on the licence, and a copy of every endorsement so made shall be sent to the authority by which such licence has been granted.

15. No licence under these Rules shall be transferable.

PART B

METTING, NOOSING AND SNARING RULES

16. The netting, noosing , snaring, or the capturing of wild Birds by any method whatsoever is prohibited throughout the year except as provided for in Section 3 to 7 and subject to Section 116 of the Act.

17. A licence to net , noose ,snare or capture in any other way the Wild Birds and

- Wild Birds and Wild Animals mentioned in Schedule III, but subject to Section 16, of the Act may be sanctioned and issued on prescribed Form No.III Schedule “A” on payment of the fee prescribed in rule 4 and on the conditions appearing in these Rules. The licence shall be valid only for the area for which it is issued.
- 17-A. The fee for a netting, noosing and snaring licence shall be Rs.20.
18. The licence shall be issued in the form appended to these rules, and the Shikar Department may determine the number of licences to be issued in the State, and the persons to whom they may be issued with the previous sanction of the Alimartabat the Prime Minister.
19. A licensee may use any kind of net, noose or snare but h shall not use more than one contrivance of either kind at one and the same time.
20. A licensee shall not possess alive any Wild Bird or wild Animal which has been seriously maimed or injured.
21. The setting of nets nooses, traps or snares for catching deer, gazelle and antelope is strictly prohibited.

PART C

SHOOTING RULES

22. The shooting of Wild Birds and Wild Animals is prohibited without the prescribed Licence or Permit under the Act at any season of the year and except as provided for in Section 17 of the Act.
23. shooting Licences are of two kind and the fees payable in cash for each are as prescribed in Rule 4:-

Rs.

i) small Game Licence	8
ii) General Licence	25

The shall be valid for the whole of the State except notified State Reserve Areas and sanctuaries.

The holder of a small Game Licence is entitled to shoot any bird mentioned in Schedule III of the Act and hares.

The holder of a General Licence is entitled to shoot in addition to the birds mentioned in Schedule III of the Act and hares.

The holder of a General Licence is entitled to shoot in addition to the birds mentioned in Schedule III and hares, those animals mentioned in Rule 8 but strictly in accordance with these Rules and the limits laid down in column 5 of Rule 8.

24. A Shikar Licence or Permit may respectively be issued on payment of the prescribed fees only to such persons as are licensed to carry guns and rifles, under the Arms Act, and to no other person. Retainers shall not be permitted to Shikar unless they are in possession of a Shikar Licence under these Rules , for which the proper fee has been paid.
25. The death of a licensee or the cancellation of his licence under the Arms Act, for whatsoever cause, shall automatically cancel his licence under these Rules.
26. The shikar Department shall maintain a register. In the from appended to these Rules of all sanctioned licence and permits with the date of sanction and period of which it remains in force , The shikar register shall be sent to the Alimartabat the Prime Minister for scrutiny on the 1st day of April in each year for his information and return.
27. The shooting of all deer ,gazelle and antelope is prohibited after sunset and before sunrise.
28. The shooting of all deer, gazelle and antelope from an automobile is prohibited

throughout the year.

PART D

PURCHASE POSSESSION AND SALE RULES.

29 Except as provided for in sections 3 to 7 of the Act ,a contractor under these Rules shall not purchase , possess , sell or offer for sale any Wild Bird and Wild Animal within the meaning of this Act , without a licence in Form IV, schedule A.

30. Application for a licence under Rules 29 should be made to the shikar Department30-A .

30.A. The fee for a licence to purchase possess and sell wild Birds & Wild Animals shall be Rs.5

31. No licence under this part shall entitle the holder to purchase , possess, sell or offer for sale in any district other than the one for which he holds the licence.

32. The licence shall be in the form appended to these Rules and the shikar Department may determine the number of licence to be issued in the district and with the previous sanction of the Alimartabat the prime Minister, the person to whom they are to be issued.

33. A contractor shall not purchase or take in to his possession any Wild Bird and Animal from any person not holding a licence under the Act.

Note :- the control of the activities bringing in caged birds or animals from outside the state is subject to rules that may be framed under section 18(3) of the Act. Such traders need not first obtain a license in Form IV.

34. A contractor shall keep a register in the from appended to these Rules and shall on demand furnish all information requires by any person authorized by the shikar Department in this behalf and give every facility to any such person to examine his register.

35 A contractor shall not possess , purchase sell or offer for sale any Wild Brtid or Wild Animal which has been seriously injured or maimed and is still alive.

SCHEDULE-A

FORM I.

SHIKAR LICENCE.

Serial No. of Licence.

Date of issue

Kind of Licence/Small Game.

General

In considertation of the sum of Rs.

Received from

This licence isd hereby issued to him and is valied Ist April , 19 .

This licence is issued under the provision of the State Wild Animals Protection and Shikar Act, 1945 and the Rules framed thereunder.

Signature and Designation of
Authority issuing this Licence.

Dated

District.

RENEWALS ON PAYMENT OF THE LICENCE FEE.

Period	Signature and designated of the renewing authority	Date of renewal
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		

Copy of orders passed under Rule 14.

REGISTE OF LICENSES ISSUED JOR RENEWED UNDER THE SHOOTING RULES

Date of issue or renewal	Name of applicant and father's name	Address in full	Number and date dfof licence under the Arms Act of expemption Order.	Number of shooting licence.	Kind of licence issued under rule 4	Fees recovered	Signature of Shikar officer

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SCHEDULE A

FORM II.

FORM OF LICENCE FOR HUNTING WITH DOGS AND HAWKING.

Serial No. of Licence

Date of Issue

Kind of Licence (hunting with dogs or hawking).

In consideration of the sum of Rs _____ received from _____
 this licence is hereby issued to him and is valid upto Ist April, 19 .

This licence is issued under the provision of the Bahawalpur State Wild birds and Wild Animals Protection Act, 1944 and the rules framed thereunder with special referenc to Rules 4 and 12(2)

Dated

Signature and Designation of the
 Authority issuing the Licence.

RENEWAL ON PAYMENT OF THE LICENCE FEE.

Period	Signature and designated	Date of renewal
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	of the renewing authority	
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		

Copy of orders passed under Rule 14.

SCHEDULE -A

FORM III

METTING, NOOSING AND SNARING LICENCE.

Serial No. of Licence

Date of issue

Valid for District or area-----only

In consideration of the sum of Rs.20 ----- received from

-----This licence is hereby issued to him and valid upto Ist April,19

This licence is issued in accordance with and subject to the Bahawalpur State Wilde Birdes and Wild Animals Protection and Shikar Act, 1944 and the Rules framed thereunder.

Dated

Signature and Designation of
Authority issuing the licence.

RENEWAL ON PAYMENT OF THE LICENCE FEE.

Period	Signature and designated of the renewing authority	Date of renewal
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		

Copy of orders passed under Rule 14.

SCHEDULE-4

**FORM IV
CONTRACTOR'S LICENCE.**

Serial No.

Date of issue

Valid for District of -----only . In
consideration of the sum of

Rs. _____ received form
_____ this licence is hereby issued to him and is valid upto
Ist April, 19 .

This licence is issued under the provision of the Bahawalpur State Wild Birds and
Wild Animals Protection and Shikar Act, 1945 and the Rules framed thereunder.

Signature and Designation of the
Authority issuing the Licence.

RENEWAL ON PAYMENT OF THE LICENCE FEE.

Period	Signature and designated of the renewing authority	Date of renewal
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		
Up to April Ist 19		

Register to be maintained by the Contractor.

Name of Contractor _____

Licence for District _____

Date	No. of each kind of birds and animals purchased	Name of person form whom purchased and No. and date of his licence.

For the purpose of rthis register, in columnb 2 “Duck “ shall mean any species of duck and teal, and “Sandgrouse” shall mean andy species sdof Sandgrouse.

For the purpose of this register, in column 22 grey partridges and black partridges shall be entered separately. This register shall be provided by the Contractor himself at his own cost.

FORM.V
EXEMPTION PERMIT

This is to certify that ----- residing in the-----
-----has been exempted from the necessity of obtaining a licence for shikar under the Bahawalpur state Wild Birds and Wild Animals Protection and Shikar Act, 1945, under section 13 of the said Act, 1945.

This exemption is granted subject to all the other provisions and restrictions placed by the Act.

Dated

Notification issued under section 18, 19 and 20 of the Bahawalpur state Wild Birds and Wild Animals protection and Shikar Act, 1945.

Section 19- His Highness's Government are pleased to notify the following areas as a sanctuary under section 19 read with section 2(3) of the Act.

All the area south of the Dhari Distributary and within 5 miles in all directions, East, West and south centring at Kutri bungalow.

Section 20- His Highness's Government are pleased to notify the following as state Reserves:

1. All areas within 10 miles radius centring on Jajja Abba-sian
2. In particular the 7 Dhands mentioned below and the areas surrounding them.

NAME OF DHANDS

Jajjia, Bagga, Jhoran, Mudhukjhan , Tattar and Bakhhu

3 All Jagir areas belonging to His Highness the Nawab Ruler Bahadur

Section 18(3) – read with section 19 of the Act, His Highness's Government are

pleased to declare the following areas to be Reserves within which shooting

would only be allowed to permit holders on permits issued by the shikar

Department and in accordance with the conditions and limitations mentioned in

the permit

RESERVES

1 The Bahawalpur Forest excluding the dairy and Fruit Farm area.

2 The Lal Sunhara Forest including the whole of the Ghafoor Forest

3 The Walhar Forest

4 The Bahawalpur Forest

5. The Chak Katora Forest

Letter No. X 15, dated 15th April 1952, from Finance Secretary to the Government of Bahawalpur to the Deputy Secretary Ministry of Agriculture and Veterinary, Bahawalpur Government.

Rates of Cattle Ponds,

With reference to your letter No. 1775, dated 29th March, 1952, on the above subject, I am directed to convey the sanction of Alahazrat Sarkar-I-Ali to the rates of cattle Pond and grazing fee for the ponds administered by the Forest Department being revised as given in the enclosed list.

I am to add that the rates proposed for Camel, Cow and Calves against item No. 10

and 11 in your letter under reference have dropped as item 4 in the enclosure covers all calves.

A copy of the letter has been forwarded to the State Forest Officer and the Accountant –General, Bahawalpur.

List

Animals	Revised Rates	
	Fine	Grazing fee
1. Camel etc,	4/-	12/-
2. Cow etc.	4/-	12/-
3. Buffalo	4/-	12/-
4. Calves under 6 months	3/-	6/-
5. Sheep etc.	1/-	6/-
6. Goats etc.	1	6/-
7. Horse and mare	4/-	12/-
8. Mule, Pony etc.	4/-	12/-
9. Donkey ertc.	2/-	6/-

